

WELFARE  
and  
THE SCOTTISH POOR LAW  
1890-1948

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## ABSTRACT OF THESIS (Regulation 7.9)

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In 1945 the Labour Government undertook the wholesale reform of welfare provision. Existing service provision was rationalised, greater National direction in service delivery was introduced and a vast array of new needs were recognised as requiring statutory support. Radical restructuring such as this does not of course occur within a vacuum and underpinning the thrust of Labour's plans lay one very important working class desire, the wiping out of the last vestiges of Poor Law philosophy and practice. The thesis sets out to examine the origins within Scottish society for change and the reasons why politicians laid great stress on incorporating working class opinion within the framework of welfare provision.

Around 1890, at a time when the existing ratepayer philosophy of adequate, but discriminatory relief had reduced pauperism to its lowest level, working class material interests began to be threatened by a more advanced form of industrial Capitalism. However with their acquisition of the vote in local elections it had become possible for them to articulate their interests far more formally. Nevertheless before 1914, organised Labour was not sufficiently powerful to push through any radical welfare demands and it was left to Liberals and National Administrators, sensing the estrangement of the working classes from a more competitive system of industrial Capitalism to formulate a policy that could incorporate their interests within statutory welfare. The issue they sought to resolve essentially centred on three particular aspects of provision, the relationship of the individual to statutory social welfare, the view of individual development within the operation of welfare and the role of government in the promotion and operation of policy. Yet although the locus of National thought did shift, many property owners, especially at the local level failed to adjust their perspectives sufficiently to permit a radical restructuring of provision. Thus despite a stronger and more directive National Administration emerging many issues remained unresolved.

After the War, with mass unemployment and an organised, assertive Labour movement the issues and the debates moved onto a different plane. Firstly, in order to preserve public order and property, Conservatives and local ratepayers were forced to concede statutory assistance to the unemployed. Once granted, continued working class pressure, especially after 1930 led to the establishment of a new and more ameliorative policy in the conduct of distress relief. Secondly, in order to achieve their statutory aims of promoting the health of the people, National Administrators found themselves pressing for greater statutory provision in hospital care. In the face of continued voluntary hospital and ratepayer hostility they eventually aligned themselves with a section of the Labour Party, who acknowledging the immediacies of the working class deprivation, had abandoned the tenets of locally based democratic socialism. Thirdly, the cumbersome nature of a legalistic Poor Law to promote individual need gradually pushed National Administrators towards redefining poverty not in terms of a "right" which could be judged, but as an administrative norm that could be effectively regulated by Civil Servant action. Thus by 1945, a "positive", ameliorative and humanistic method for promoting and regulating an individual's welfare had emerged. It was one that Conservatives thought could retain working class loyalties and one which Labour felt could fundamentally alter the distribution of rewards within a more advanced industrial society.



## Declaration

I, the undersigned declare that this dissertation is my own work and that other works have been used only in so far as they have been referred to or quoted in the text which follows,

Jan Penitt.

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## NOTES

Throughout the text, wherever necessary, old coinage has been used. Monetary values have been so inflated over the last thirty years that converting to new coinage would only serve to distort pre-war values.

For conversion;

6d (sixpence or six pennies) = 2½ new pence

1/- (one shilling) = 5 new pence

10/- (ten shillings) = 50 new pence

£1 (one pound) = £1

Abbreviations used in Footnotes

PLM = Poor Law Magazine

RCPL = Royal Commission on the Poor Law, 1909

RCPL(S) = Royal Commission on the Poor Law, Scottish Report, 1909

RCPL(SE) = Royal Commission on the Poor Law, Scottish Evidence, 1910

RCPL(U) = Royal Commission on the Poor Law, Unemployment Evidence, 1910

CCM = County Council Minutes

PBM = Parochial Board Minutes

PCM = Parish Council Minutes

T.C.M. = Town Council Minutes

## CHAPTER ONE

### INTRODUCTION

At the end of the Second World War there occurred in Britain one of those dramatic shifts in political opinion. With Labour sweeping the country to claim a victory as large as the Liberal landslide of 1906, a new era in the political administration of welfare was quickly established. By 1947 the shape of that administration had become clear. There was to be a free and national Health Service, overcoming both the old division between voluntary and local authority hospital control and the haphazard nature of general practitioner care. An integrated National Insurance scheme was to be introduced, with compulsory insurance of all the workforce for a variety of circumstances, including unemployment, sickness, retirement and industrial injury. Local authority services were to be completely revamped, with particular emphasis on the provision of domiciliary and institutional support for those elderly, children and disabled not requiring medical or monetary assistance. A new National Assistance scheme for those out of insurance benefit and sweeping away the last vestiges of a locally based Poor Law was to be introduced. In its provisions, not only was the Government going to assume a responsibility for monetary provision, but the whole ethos of meeting need was to alter. Out went a legal-bureaucratic system of welfare, in which claimants had clearly defined legal rights, and in came an administrative form of welfare, based on regulation, where a

claimant's needs were to be regularly reviewed and increased<sup>(1)</sup>.

This was the creation of a welfare society, one which through the debates and experiences of the past had decisively agreed on a new format for the provision of need. Thus when Government Ministers rose to introduce the National Assistance Bill in late 1947, there was little to disguise their enthusiasm of its contents or their optimism about the future. Arthur Woodburn, the Scottish Secretary of State, in a highly charged speech summed up their views by stating,

"We establish in this Bill one of the greatest ambitions of our movement - the establishment of work or maintenance as the moral principle governing the treatment of people who are in need. Under this measure those who get assistance get it without humiliation or abuse. Perhaps the greatest thing about this Bill is that it removes from the treatment of people who are hard hit in life the humiliation which accompanied a great deal of charity in the past. I think that the greatest injury done to the poor in the past was not the fact that they were deprived of food or nourishment, but that they were deprived of their self respect. The destruction of the dignity of man was the great issue amongst the poor in days gone by". (2)

And as an afterthought he declared,

"The Bill wipes out poverty as we know it, and any shame attached to need".

With unusual ferocity he and other Labour M.P.'s demolished all Conservative attempts to suggest that the position of the poor might not be radically improved.

In retrospect, although Labour's plans for a Welfare State did

1. for a general review of the development of the British Welfare State and the nature of Labour's provisions see D. Fraser, The Evolution of the British Welfare State. (London, 1973); P. Thane, The Foundations of the Welfare State, (London, 1982); J. R. Hay, The Development of the British Welfare State, 1880-1975, (London, 1978)
2. Hansard, Vol 444, 24/11/47, p 1653



enjoy considerable electoral support, as the Conservatives sensed poverty was far from being "wiped out". Indeed the work of Townsend, Abel-Smith and Fiegehen on Britain and Levitt on Scotland have all helped to indicate how far the post War scheme has fallen short of Woodburn's assertion<sup>(1)</sup>. But the abolition of poverty through a massive redistribution of income was not necessarily the issue regarded by Labour and their working class electorate as the most vital. To them, equally important was the creation of a system that would overcome the personal shame and public humiliation of a welfare system still rooted in Poor Law philosophy. The final abolition of the Poor Law, with its pecuniary practices, its local authority staff rooted in the traditions of the past and its failure to provide an expansive basis for the promotion of need was the immediate priority. Labour's post-war welfare plans were therefore as much an attack on the continuance of a particular method of relieving poverty as an attempt to provide the poor with extra monetary resources. Indeed when the family means test and other pre-war benefit regulations are discounted there is comparatively little difference between the scales of benefit before and after the War. The increases that were provided can almost wholly be attributed to Labour pegging benefit levels to rises on real wages<sup>(2)</sup>.

Thus this is a work which sets out to explain certain administrative aspects of the Welfare State's derivation, the reasons why Labour

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1. B. Abel-Smith and P. Townsend, The Poor and the Poorest, (London, 1965); G. C. Fiegehen (et al), Poverty and Progress in Britain, 1953-73, (Cambridge, 1977); P. Townsend, Poverty in the United Kingdom, (Penguin, 1979); I. Levitt, "Poverty in Scotland" in G. Brown, The Red Paper on Scotland, (Edinburgh, 1975)
  2. see the comment by A. Deacon, "An end to the Means Test? Social Security and the Stlee Government", Journal of Social Policy, (1982) Vol 11, Part 3, p 289 and I. Levitt, "Poverty in Scotland; the Historical Background" in G. Brown and R. Cook, Scotland: the Real Divide, (Edinburgh, 1983)



Ministers were so ferocious in their attack on the existing system and why working class opinion had been so decisively acknowledged as important in any restructuring of provision. In doing so one important element needs to be stressed, the evolution of welfare policy was not something that occurred in isolation of other social and political developments. As Hill has suggested,

"The growth of state involvement with the social welfare of its citizens can be related to the development of an industrial society and its subsequent maturation, or perhaps decline, into what some writers have described as "post industrialism". Alongside this industrial development are political developments, associated with the extension of the suffrage, involving citizens more thoroughly with the activities of the state. The result is a package of developments - of the state's rôle, the character of the economy, and the nature of the political process". (1)

In consequence, if a more detailed analysis of policy change is to occur, it would seem that six particular factors need to be taken into account. These will be outlined in turn.

The first relates to the nature of class interests within a Capitalist society. As Levitt has stated in a review of early 19th Century Scottish perspectives, Capitalism is a process for creating wealth<sup>(2)</sup>. But because this in turn creates inequality and social dissatisfaction, the working classes are in constant struggle with Capitalists over the distribution of rewards for their labour. The former have a basic material

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1. M. Hill, Understanding Social Policy, (London, 1980) p. 14
  2. I. Levitt, "An Inquiry into Working Class Life; A Report of the Computer Mapping of the 1844 Scottish Poor Law Commission's Statistics Project", SSRC Newsletter, (1980) No 41, p 23; see also the comments by R. Mishra, Society and Social Policy, (London, 1981) Chapter 3

interest in increasing their share of the social product, whilst the latter an interest on preserving private property and reproducing profits.

A second factor had recently been suggested by Donajgrodski and Taylor-Gooby<sup>(1)</sup>. They indicate the way in which ideology and institutional framework were combined during the early years of industrial Capitalism to create a particular hegemonic attitude towards policy development. The middle classes believed that if the workforce was adequately motivated then the problems of maintaining public order would be secured. In an attempt therefore to ensure a sense of participation and benefit from Capitalism they sought to instil the values of hard work, thrift and the righteousness of economic desert<sup>(2)</sup>. As Donajgrodski in particular has suggested the method adopted was the creation of welfare institutions which while offering assistance nevertheless did so in a way that bound the less fortunate to Capitalism's predominant ethos. Thus to him the starting point for an analysis of late 19th Century policy change must be to regard the existing system of welfare as a moral order in which virtually everyone, from "pauper" to property owner came to view the New Poor Law, temperance reform, voluntary hospitals and the zeal of the Charity Organisation Society as "right and proper".

The third factor relates as Saville has suggested, to the way in

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1. A. P. Donajgrodski (ed), Social Control in 19th Century Britain, (London, 1977); P. Taylor-Gooby, "The State, Class Interest and Social Policy", Journal of Social Policy, (1980) Vol 10, Part 4, p 433; P. Taylor-Gooby and J. Dale, Social Theory and Social Welfare, (London, 1981) Part 1
  2. for a fuller discussion of ideology and attitudes, see, A. J. Taylor, Laissez-Faire and State Intervention in 19th Century Britain, (London, 1972)



which property owners perceived political enfranchisement as necessary to maintain the legitimacy of the existing mode of production<sup>(1)</sup>. To him the relative decline of the British economy in the late 19th Century shattered working class expectations about the ability of the existing system to sustain living standards. Thus by conceding the vote and incorporating working class views more formally within Government, property owners could offer them the prospect of achieving their material interests through "negotiation" rather than violence. But the consequence of enfranchisement had to be met with new strategies. If the working classes found they could adjust the tools of Government to their own satisfaction, then property owners had to become far more subtle about protecting their material interests and limiting the impact of redistributive policies.

This leads on to a fourth factor, the way in which those operating welfare institutions can display their power and effect changes in policy. As Goldthorpe has indicated, an enfranchised society creates a wider diversity of means towards achieving particular welfare goals<sup>(2)</sup>. Thus although class divisions provide the outer parameter for a discussion of social policy, it becomes important to emphasise micro-political processes and decisions as the basis for understanding how forms of welfare come to be accepted as legitimate. Moreover

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1. J. Saville, "The Welfare State: An Historical Approach", New Reasoner (1957-8) Vol 3, pp 5-24; this position has been restated by N. Ginsburg, Class, Capital and Social Policy, (London, 1979) Chapters 1 to 3
  2. J. H. Goldthorpe, "The Development of Social Policy in England, 1800-1914", Transactions of the 5th World Congress of Sociology, 1962, (London, 1964) pp 41-56

it is the shifting balance of power within these processes and the ability of the various factions within society to manipulate their institutional environment that ultimately determines the general order and pace of welfare development. Utilising a multi-dimensional perspective suggests that individuals can under certain circumstances react to events not simply according to their objective class positions but because of other factors such as their religious beliefs, or in the case of welfare administrators, their statutory goals. Thus during the period before 1945, it is necessary to suggest that property owners rather than simply exercising crude class power, could "play politics", make "concessions" and develop new forms of welfare.

In consequence a fifth factor needs to be taken into account, the way in which the different classes began to perceive the State's administrative powers as a method to obtain material well-being. Thus Room has argued that the more open "contestable" nature of power in 20th Century society saw the development of social policy being guided by the search for the maintenance of popular support<sup>(1)</sup>. On the one hand the Conservatives sought, by the promise of efficient and mildly redistributive policies, the votes of the skilled worker and on the other Labour, by backing away from implementing revolutionary slogans, the votes of the

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1. G. Room, The Sociology of Welfare, (Oxford, 1979) p 62



property conscious middle class. Both Parties realised that the moderating of class based ideologies was essential if the middle ground of politics was to be secured. As a result, in any analysis of policy development, it is important to understand the way in which both political and professional administrators begin to present themselves, not as the "instrument of a single ruling class" but as the "moral arbiter" between conflicting claims of Capital and Labour<sup>(1)</sup>.

Armed with these factors a much broader interpretation of philosophies and aspirations can take place. But there remains one final factor that does need to be stressed. To Goldthorpe, any understanding of the "patterns of structural change" can only come about through an analysis of the kinds of conditions that led to State involvement becoming "regarded as imperative". In consequence a more distinctive methodology is necessary, one that looks at the "purposive actions of individuals and groups in pursuit of their own ends". Taking into account how individuals defined poverty, "pauperism", their statutory duties (if they were administrators), the power of other groups to influence the enfranchised workers and the ways in which they sought to articulate their interests are therefore vital. The same sentiments have been expressed by Room, who has gone on to suggest that,

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1. R.. Pinker, The Idea of Welfare, (London, 1979) p 235

"no explanations of policy development in terms simply of the requirements of capital accumulation, the selfishness of sectional interests or the dictates of societal development can be adequate in as much as any of these would presume an essentially reactive role for the mass of citizens". (1)

Thus within a more subjectivist approach it is necessary to recognise the process of "collective learning" through which electors, administrators, social groups come to some form of consensus on what constitutes an ethos and practice of welfare. Understanding the nature of electoral experience, sentiment and critical appreciation of prevailing welfare forms is therefore an essential element in any analysis of policy development.

In summary then, although there are predicates within Capitalism's development, one can envisage the battle for twentieth century welfare as a unique process involving many different groups pursuing their own aims and interests. Moreover the perspectives of welfare and the evaluation of alternative strategies need not be class based. Underlying these lies another, the way in which policy came to be structured around enfranchised and politically equal citizens. As a result, the core of any critical analysis must rest on examining the changing role of the State, the process of decision making as it actually occurred, the values attached to welfare and the evolution of a distinct code of welfare conduct. In an attempt therefore to explain the origins of Labour's welfare plans, the thesis will discuss the

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1. Room, op.cit., p 80

events surrounding the downfall of one institution, the Scottish Poor Law from about 1890 to 1948. It has been chosen for a number of reasons.

Firstly, throughout the period the Poor Law was an important mechanism of resource allocation to the poor. New institutions may have been established and developed, but in real terms more was being spent on Poor Law welfare in 1938 than in 1890.

Indeed not only did it continue to meet a wide variety of needs, but it also acquired a number of new statutory functions.

Secondly, 1890 was a time when the deteriorating nature of urban-industrial living began to destroy the existing pattern of working class material well-being. As a result, administrators received many more applications for relief. Thirdly, it was a period when the working classes themselves acquired the vote in both national and local elections. There was therefore a whole range of new public institutions through which their interests could be directly articulated. Fourthly, because of its existing philosophy and practice, it was this particular institution that engendered so much of the early Labour Party zeal for reform. If Woodburn's assertions in 1947 are to be properly understood, then some appreciation of this zeal has to be undertaken. Fifthly, the sheer complexity of administrative tasks and the number of political units within the comparable English institution has prevented an appreciation of the National Assistance Bill being developed to the fullest. Recent accounts of English Poor Law history have largely focussed on particular aspects, like income maintenance policies or political events like Poplarism, rather than present a broad sweep of its



administrative practices, changing perceptions of meeting need and the role of the State<sup>(1)</sup>. Neither legal developments nor events in the 1930's have been adequately covered. Sixthly, it is an area of Scottish History that has remained sadly under-researched. Although a considerable amount is now known about this period's political and industrial development, little is known either of social policy itself or of its relationship to the developing class structure. Until more detail of that is provided no definitive statement of Scottish Society's changing profile can take place.

Thus this is an attempt not only to indicate the evolution of Scottish Poor Law policy in the years after 1890, but also to aid an understanding of the British Welfare State's origins. In the process far greater attention can be paid to local events, policies and conflicts, because it is this kind of analysis that can best illustrate the difficulties in early 20th Century welfare development; the maintenance of popular legitimacy in a period of increasing urban-industrial malaise and an assertive working class electorate. At the same time a more detailed account of the debates surrounding the emerging ethic and conduct of welfare can also be given. Of course such an account can only be a partial one of British social policy; Scotland had only one eighth of the U.K.'s

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1. see for instance, P. Thane (ed), The Origins of British Social Policy, (London, 1978); A. Deacon and E. Briggs, "Local Democracy and Central Control; The Issue of Pauper Votes in the 1920's", Policy and Politics (1974) Vol 2, No 4, p 347



population and a separate political administration of welfare.

But the issue in both countries, as indeed in other western industrial ones shared a common theme, "the civic reintegration of the labour force" during a more advanced phase of industrial capitalism<sup>(1)</sup>. The first step in that analysis must be to consider the nature and form of welfare as it emerged in the mid 19th Century.

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1. C. Kerr (et al), Industrialism and Industrial Man, (London, 1964), p 187

## CHAPTER TWO

### THE POOR LAW AND SCOTTISH WELFARE IN THE 19th CENTURY

Tom Johnston once remarked that after the 1845 Poor Law Act, the Scottish poor and needy achieved their legal right to assistance from the State<sup>(1)</sup>. Before that, most had lived in wretched and barbarous circumstances. The old Poor Law had failed to provide both the agrarian and the new industrial poor with a decent standard of living<sup>(2)</sup>. Johnston, of course, knew he was giving an over generous view of the new Poor Law, but the new system based on a local inspectorate, a central Board of Supervision and easier access by the poor to the Courts was indeed a significant improvement.

The needs of the poor however never remain the same and parochial boards had to evolve new policies to satisfy a developing Capitalist society. Patterson, in her work on the Poor Law in Edinburgh, has outlined some of these key elements; the steady bureaucratisation, the emergence of strict policies of relief, the denial of relief to the able-bodied, the transfer of the poor to new model poorhouses, the growth of a philosophy of "pauperism" and the increasing role of the Board of Supervision in advising on policy<sup>(3)</sup>. Her work has clearly helped to indicate

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1. T. Johnston, The History of the Working Classes in Scotland. (Glasgow, 1929) p 275
  2. Ian Levitt and Christopher Smout, The State of the Scottish Working<sup>C1246</sup> in 1843. (Edinburgh, 1979) especially Chapters 4, 5, and 8.
  3. A. Patterson, Poor Relief Administration in Edinburgh City Parish, 1845-94. (PhD Thesis, Edinburgh University, 1974)

some of the problems the Poor Law faced in the 1890's when economic, political and social changes began to disturb many of the existing policies and administrative practices. The next Chapter will explore these changes more closely. This Chapter will concentrate on a closer examination of three distinctive aspects of 19th Century welfare, namely the lack of overt central control, the individualistic ethos of welfare administrators and their preference for voluntary assistance. It was these in particular that came to structure the ethic and practice of late Victorian welfare. However, no social policy can be viewed in total isolation from the society in which it operates, and so the nature of Scottish society will be dealt with first.

In the second half of the century, Scotland was a growing and prosperous Capitalist society<sup>(1)</sup>. In 1851, it had a population of only 2.7 million, by 1901 it had 4.3 million. From an agrarian, rather traditional society of pre-1800, Scotland was by 1900 one of Europe's leading industrial countries. Clydeside was the most important shipbuilding estuary in the world. Heavy engineering work dominated the immediate hinterland and beyond that lay the coal-fields of Ayrshire, Lanarkshire, Dunbartonshire and Renfrewshire. Dotted around these lay many iron-works. Textiles, although not so prominent as in the early part of the century were still an important source of labour in

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1. see, for instance, A. Slaven, The Development of the West of Scotland Economy. (London, 1973) Parts 1 and 2; W. H. Marwick, Economic Development in Victorian Scotland. (London, 1936); R. H. Campbell, The Rise and Fall of Scottish Industry. (Edinburgh, 1980) Chapter 3; E. H. Hunt, Regional Wage Variations in Britain, 1850-1914. (Oxford, 1973); A. A. MacLaren (ed), Social Class in Scotland; Past and Present. (Edinburgh, 1973); S. G. Checkland, Scottish Banking, a History, (1965-1973). (Glasgow, 1975); M. W. Flinn (ed), Scottish Population History from the Seventeenth Century to the 1930's. (Cambridge, 1977).



Glasgow, Paisley, the Vale of Leven and around Kilmarnock. Further east lay the shores of the Forth. Here there were chemical works, food processing, brewing and paper manufacturing. Coal was also extensively mined, with Fife one of the fastest developing fields in Europe. Important shale oil deposits were worked in West Lothian. Dundee and Aberdeen to the north were successful ports, with Dundee having many jute mills. Edinburgh continued to grow as an important administrative and commercial centre.

The migratory patterns of the early century continued as labour moved from the upland countryside, the Highlands and Ireland. By 1900 most of the population lived in the towns of the narrow belt of land between the Tay, the Forth and the Clyde coast. The urban industrial Scot, tied to the market system and industrial capitalism had replaced the peasant tied to the land and his tenancy. Thus a change of life-style accompanied this change of work place. However with real wages and property values increasing both the new middle classes and working classes shared in the gains of economic progress. A labour aristocracy emerged. Friendly societies and savings banks flourished. But behind all this progress lay the side-effects of a fast and aggressive dash for capitalistic growth; all the cities and larger towns had overcrowded and squalid slums<sup>(1)</sup>. Those that had not been successful, those who could not obtain steady employment, those

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1. for a discussion of Dundee and Glasgow in particular, see E. Gauldie; Cruel Habitations. (London, 1974).



who had few personal resources to seize the opportunities available were forced to live in the most appalling conditions of urban living. Single ends, tenement and back-alley flats dominated the centres of cities and towns. The general standards of health and cleanliness were in consequence abysmal<sup>(1)</sup>.

The state of the lower working-classes was not something that greatly worried those who had been successful. The people that lived in these conditions had got their just deserts; they ought to work harder, spend less on the frivolities of life and save more. A growing economy provided jobs for most and those that could not find one should emigrate. The colonies were open and hungry for labour.

Economic success meant political stability. The ascendancy of the Whigs was easily transformed into that of the Liberals<sup>(2)</sup>. At no election before 1914 did they fail to secure at least 50% of the popular vote and only in one, 1900, did they not have a majority of M.P.s. Political agitation was either directed at constitutional reform (like home-rule or church disestablishment) or was connected to movements like temperance reform. Indeed so solid was the urban working class for Liberal principles that the Keir Hardie's and Ramsay Macdonald's of the nascent Labour Party felt it more opportune to migrate south than plough lonely

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1. R. S. Barclay, Some Aspects of Fertility and Mortality in Scotland, 1855-1943. (PhD Thesis, Edinburgh University, 1946).
  2. see for instance, J. D. Young, The Rousing of the Scottish Working Class. (London, 1979), especially Chapters 4 and 5; W. H. Walker, Juteopolis; Dundee and its Textile Workers, 1885-1923. (Edinburgh, 1979); J. G. Kellas, Modern Scotland, the Nation since 1870. (London, 1968); D. W. Urwin, Politics and the Development of the Unionist Party in Scotland. (Manchester, 1963); J. G. Kellas, "The Liberal Party in Scotland, 1876-95", Scottish Historical Review. (1965) Vol XLIV, No 137; J. Pelling, A Social geography of British Elections, (London, 1967), Chapter 16

and barren fields at home. Scottish social policy was fashioned out of this economic and political structure.

It is one of the strange aspects of this social policy that the Poor Law north of the border never achieved the notoriety of its English counterpart. Little is heard of poorhouse scandals, of widespread dissatisfaction with central supervision or of disputes over relief. It was certainly true that an Inspector of Poor had been successfully prosecuted for criminal neglect when a woman who had been refused relief died<sup>(1)</sup>. It was also true that many rural parishes had objected to the building of poorhouses as inappropriate to their type of recipient and that able-bodied relief had been ruled "ultra vires" by the Courts<sup>(2)</sup>. But if there tended to be any concern by contemporary writers it was in the other direction, against indiscriminatory relief, against the system of appeals and in favour of more stringent

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1. PLM, 1893, p 387, "Procurator Fiscal v. Sinclair". The trial by jury at Kirkwall Sheriff Court was on a charge of culpable homicide. The woman, Barbara King, a noted "in and outer" had been found in a ditch. The best summaries of the legal aspects to the Poor Law can be found in the evidence of E. B. Macpherson (Legal Member of the Local Government Board), to the RCPL(SE). Cd 4978 (PP 1910 Vol XLVI) given on 6/5/07 and in the PLM, 1897-8, "Parochial Relief and Settlement" (periodic articles); other reference works include, W. G. Black, A Handbook of Scottish Parochial Law. (Edinburgh, 1893); Glasgow City Parish, Parochial Law. (Glasgow, 1885); Important Legal decisions were reported in the PLM until 1930 and then in the Scots Law Times.
  2. Royal Commission on the Aged Poor. C 7684-~~IX~~ (PP 1895 Vol XIV) Evidence of M. MacNeill, given on 15/3/93; D. M. Milne, Scotch Poorhouses and English Workhouses. (Edinburgh, 1873); Isdale v. Jack, 1866 4M (H.L.) p. 1

methods to reduce "pauperism"<sup>(1)</sup>.

One of the reasons suggested for this absence of notoriety was the lack of overt control by the Board of Supervision. Explaining why such control did not exist one of the Board's Chairman stated,

"Compulsory power is never palatable, and on that account we should be liable to lose the confidence of the parochial authorities". (2)

This reflected the particular nature of Scottish local government.

Burghs with their ancient traditions would not tolerate too heavy a controlling hand on what they should do<sup>(3)</sup>. The Board, to ensure the Poor Law was properly implemented had therefore to evolve a different strategy. As another Chairman stated,

"The Board, while they have no power to issue Orders (unlike England), are in the habit of issuing general regulations, rules and minutes for the guidance of Parish Councils. These are, for the most part, in the nature of recommendations, expressions of opinions

1. see in particular the papers presented to the Chalmers Association for Information on Important Social Questions Conference, 1869. (Edinburgh, 1869-70) and much of the evidence to the Select Committee on the Poor Law (Scotland). (PP 1868-9 Vol IX) and (PP 1870 Vol XI); note also the review by R. P. Lamond, a Conservative, in The Scottish Poor Laws. (Glasgow, 1892) especially p 64
2. Civil Departments (Scotland) Committee. C 64 (PP 1870 Vol XVIII). Evidence of W. S. Walker given on 15/1/70.
3. Second Report of the Royal Commission on the Sanitary Laws. C 281 (pp 1871 Vol XXXV). Evidence of E. S. Gordon, an ex-Lord Advocate, given on 31/7/70; see also, A. C. Munro, "Public Health Administration in England and Scotland", Public Health, (1898) Vol 11, p 1; J. P. Day, Public Administration in the Highlands and Islands of Scotland. (London, 1918) especially chapters 1 to 3



and records of decisions given by the Board". (1)

The Board did have some statutory powers, but these were limited to ensuring proper poorhouse management, making determinations in cases of inadequate relief, dismissing incompetent inspectors of poor and in distributing the medical relief grant<sup>(2)</sup>. Thus central administration was largely conducted through advice, recommendations and rules based on established practice.

For instance, the Board could not compel parochial boards to board-out (foster) children. But through its exhortations (in its Annual Reports and by the visits of its General Superintendents of Poor) about Scottish traditions of family life, the cost effectiveness of boarding out compared with indoor relief and suggesting that it had been the established practice before 1845, very few children were herded together in English style barrack poorhouses<sup>(3)</sup>. No

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1. Macpherson, op.cit

2. *ibid*

3. policy and practice throughout this period can be found reviewed in, J. J. Henley, Report on the Boarding-Out of Pauper Children in Scotland. (PP 1870 Vol LVIII); J. Skelton, Report as to the Boarded Out Pauper Children in Scotland. C 1382 (PP 1876 Vol XXXII) (Contained within the Board of Supervision's Annual Report, 1874-5); W. A. Peterkin, Report to the Board of Supervision on the System of Boarding Pauper in Private Dwellings. C 7140 (PP 1893-4 Vol XLIV); Departmental Committee on Poor Law Schools. C 8027-I (PP 1896 Vol XLIII) evidence of M. MacNeill, given on 20/2/95; Glasgow City Parochial Board, "Report on the Boarding-Out of Orphan and Deserted Children and Insane". (Glasgow, 1872).

rule was ever issued about the practice until 1885 when the parish of settlement was asked by the Board to provide the parish of residence with knowledge of children boarded out in their area.

Another example was the use of poorhouse accommodation. The New Act had specifically said,

"... for more effectually administering to the wants of the aged and other friendless impotent poor, and also for providing for those persons who from weakness or facility of mind, or by reason of dissipation and improvident habits, are unable or unfit to take charge of their own affairs, it is expedient that poorhouses be erected in popular parishes". (1)

So the Board did have the responsibility to persuade parochial boards to provide poorhouses and advise on their management. This was soon put to the test. With the Act emphasising the legal right of the poor to claim relief and the spread of legal assessments, parochial boards found many more on their Rolls. The larger urban ones hastily began to build poorhouses and introduce a test of "eligibility". The Board concurred with this general drift in policy. It stated that there were many, "whose claims it would be unsafe to admit without testing the truth of the allegation on which these claims are founded"<sup>(2)</sup>. The Board was however equally aware that the insensitive use of the poorhouse "test" might well conflict with the legal claim for relief and emphasised in

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1. Poor Law (Scotland) Amendment Act. Ch. 83. (8 and 9 Vict. 1845).
  2. Annual Report of the Board of Supervision, 1850. (PP 1851 Vol XXVI) "Circular as to Poorhouses".

a circular that,

"any systematic attempt to refuse all relief, except such as may be received within the walls of a poorhouse, would excite a baneful spirit of discontent amongst the poor, and that part of the population with which they are most closely connected, without effecting any saving to the funds of the parish; and, far from being countenanced, would scarcely be tolerated by public opinion in this country". (1)

The Board was giving notice that it was prepared to use the appeals system, unique to Scotland, to enforce the rights of the poor to proper relief. The appeal system contained three elements. Firstly a claimant could, if refused relief, apply to a local Sheriff who could order that relief be given. If the claimant felt that the amount or form of relief was inadequate then an appeal could be lodged with the Board who could then determine what it should be. If the parochial board still refused to comply, then the Board could supply the claimant with a Minute for the Court of Session to decide the merits of the case. The Board's Annual Reports indicate that there were very many appeals in the early years of the Act. This undoubtedly helped the Board to develop a national policy on what was appropriate relief.

The ability of Poor Law Administrators to avoid adverse publicity after the early years of the Act was aided by the lack of concern for the able-bodied. The denial of relief to this group has recently come under review. Both Mitchison and Cage have considered the interplay of law and practice in the years before

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1. *ibid.*



1845<sup>(1)</sup>. Levitt and Smout have looked at the evidence presented to the 1844 Poor Law's Commission and Patterson has considered the period after 1845 in Edinburgh<sup>(2)</sup>. From these and earlier accounts it is evident that some parishes did give temporary or occasional relief to the able-bodied out of work<sup>(3)</sup>. Usually this occurred when the harvest was poor and landowners felt it necessary as part of the bond they had with their local community to provide some assistance.

It is also evident from these accounts that after 1800, when Scotland began to industrialise and when the new middle-classes

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1. R Mitchison, "The Making of the Old Scots Poor Law". Past and Present (1974) Vol 63, p 58; R. Mitchison, "The Creation of the Disablement Rule in the Scottish Poor Law" in T.C. Smout (ed) The Search for Wealth and Stability. (London, 1979); R. A. Cage, The Scottish Poor Law 1745-1845. (Edinburgh, 1981); R. Mitchison, "A Rejoinder", Past and Present. (1975) Vol 69, p 155
  2. Levitt and Smout, op.cit.,; Patterson, op.cit.
  3. T. Hamilton, Poor Relief in South Ayrshire. (Edinburgh, 1942); J. M. MacPherson, The Kirk's Care of the Poor. (Aberdeen, 1941); T. Ferguson, The Dawn of Scottish Social Welfare. (Edinburgh, 1944); for a traditional, but sympathetic view on the history of the able-bodied decisions see, J. E. Graham, "The History of the Poor Law of Scotland Previous to 1845", PLM, 1917-8 (periodic articles), especially Chapter IX; for a less sympathetic view see, W. Smart, "History of the Scots Poor Law prior to 1845", contained within the RCPL(S). C 4922 (PP1909 Vol XXXVIII); A. A. Cormak, Poor Relief in Scotland. (Aberdeen, 1923); J. Lindsay, The Scottish Poor Law, its Operation in the North-East from 1745-1845. (Ilfracombe, 1975); for contemporary accounts see, D. Monypenny, Remarks of the Poor Laws in Scotland. (Edinburgh, 1834); W. Stark, Consideration of the Affairs of the Poor. (Edinburgh, 1824) for a comparative English account see, S. G. and E. O. Checkland, The Poor Law Report of 1834, (Penguin, 1974). D. Roberts Paternalism in Early Victorian England. (London 1979)

began to adopt laissez-faire economic principles that such practices could not readily be contemplated for the urban working-classes. The new middle-classes wanted market based economic relationships to determine the ethos and structure of the Poor Law. But when severe trade depressions occurred in the late 1830's a new alternative philosophy of urban social concern emerged. Led by the Alison brothers it sought to transplant the traditional values of care and compassion into the new society. To them, the endemic apathy and estrangement of the new society had to be overcome. The maintenance of public and social order was at stake. Archibald Alison believed that,

"When wealth increases, manufactures spread, and society assumes a complicated form, the opulence and greatness of the higher classes, and the grandeur of the whole fabric of society throws into the shade the humble individuals by whose labour it is maintained, and renders the success of their exertions the means by which the distance is increased between the higher and lower orders of the state". (1)

For him the only redress was to ensure that the poor did have a right to relief because he felt that,

"...the claims of the poor for relief are not of the nature of a petition, to be admitted to the benefits of a voluntary donation, but a legal right, founded upon the claim which the destitute and impotent poor in a complicated state of civilised society everywhere have to reasonable support from the more opulent and fortunate classes of society, who have been maintained by their labour, ... the wisest and most benevolent system of legal relief that human wit could devise, would in practice, be soon rendered almost nugatory, if the power of judging in the applications for a share of its

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1. A. Alison, The Principles of Population and their Connection to Human Happiness. (Edinburgh, 1840) Vol 1, pp 9-10

benefits were wholly vested in the ratepayers, or any persons under their control". (1)

Thus the Commission, set up to review existing practices and recommend a new policy had a difficult task to reconcile two equally respectable, but totally opposing perspectives. The Commission noted the Alison view that there ought to be a statutory right to receive relief, better medical assistance and legal assessments<sup>(2)</sup>. But it also noted the view expressed by the opposition and epitomised in the evidence by the work of the Reverend Thomas Chalmers in Glasgow that local administration should be reformed to assist personalised and discriminatory treatment<sup>(3)</sup>. It also noted the view that the able-bodied should not be able to demand relief. The consequent Act tried to balance these perspectives and stated in particular that,

"... all assessments imposed and levied for the relief of the poor shall be extended and be applicable to the relief of the occasional as well as the permanent poor: Provided always, that nothing herein contained shall be held to confer a right to demand relief on

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1. *ibid.*, Vol 2, pp 229-30. It should be noted that Alison wrote these thoughts before 1814. He, like his brothers, was a Tory.
  2. Report of the Royal Commission on the Poor Law (Scotland). (PP 1844 Vols XX-XXV); W. P. Alison, Observations on the Management of the Poor in Scotland. (Edinburgh, 1840); S. S. Alison, Report on the Sanitary Condition and General Economy of the Town of Tranent ... (NP, after 1840); A. Alison, Autobiography of Sir A. Alison. (Edinburgh, 1883) (published under his daughter's name, Lady Jane Alison).
  3. Cage. *op.cit.*, Chapter 6; D. C. Smith, The Failure and Recovery of Social Criticism in the Scottish Church. (PhD Thesis, Edinburgh University, 1964) Chapters 3 to 5; and Chalmer's own evidence to the Commission.



able-bodied persons out of employment". (1)

The Lord Advocate stated that the Act was to preserve "use and wont". If other mechanisms of relief, such as appeals for charitable funds, failed or were found to be inadequate, then the new parochial boards could assist the out of work. Others did not share this view. To them the new Act tipped the balance towards indiscriminate able-bodied relief. By allowing easier access through Court Orders, by employing local inspectors of poor (who once appointed by the local board could not be dismissed without the sanction of the Board of Supervision) and by having the widespread use of legal assessments, the able-bodied would have a right to relief from the rates<sup>(2)</sup>.

In the early years of the Act, after some clarification from the Board of Supervision, many local boards did provide relief in times of periodic distress to the out of work<sup>(3)</sup>. The Board even circulated local boards on the relative merits of offering indoor relief and/or a labour test<sup>(4)</sup>. The larger boards, however, remained unhappy even at this prospect and began to initiate "test" cases through the Courts. These soon cut away at the grounds of administrative discretion. In one, in 1852, the House of Lords declared first that,

"... an able-bodied man has no right to parochial relief for himself though unable to find employment and destitute of the means of subsistence".

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1. Sect 68; for comment on the Lord Advocate's intention to allow discretion see, Hansard, (1845) Vol 128 p 1409; J. G. Smith, A Digest of the Laws of Scotland relating to the Poor, the Public Health and other matters managed by Parochial Board. (Edinburgh, 1878) p 193; Glasgow City Parish, op.cit., Chapter XVIII
  2. *ibid.*, Day, op.cit., Chapter IV; not all parishes adopted legal assessments. Linton (Peeblesshire) with less than 100 population and three claimants still used voluntary assessments in the 1920's
  3. Return of Able-Bodied Poor ... Occasional Relief. (PP 1865 Vol XLVIII)
  4. Annual Report of the Board of Supervision, 1849. (PP 1849 Vol XXV) "Circular as to Outdoor Relief to Able-Bodied Poor".

and secondly, that he could not claim relief for his dependents because,

"The Poor Law does not recognise children as distinct from their parents when they are all living in family together, and that the children can only claim through their parent, who represents them and to whose control they are subject". (1)

Another case a few years later made the position still clearer,

"... an able-bodied man has under no circumstances whatever a legal right to parochial relief either for himself or his family, and that by an able-bodied man is meant one who suffers under no personal inability, bodily or mental, to work". (2)

However, there was still a belief that parochial boards could provide occasional relief when they felt the distress was severe and it was not until 1866 that a final ruling was given with the House of Lords stating categorically that,

"The right to give and receive relief was correlative, and if there was no right to demand relief there was none to give relief." (3)

The ruling was indeed a firm one, the able-bodied were outside the concern of the main statutory relieving agency. But whatever the ruling the Board of Supervision still felt there was some room for administrative discretion. It told parochial boards that they should be careful not to cause loss of life through too harsh an interpretation of the judgement. Later in 1878 they circularised them on the decision and concluded that,

"It must be kept in view that Parochial Boards have no

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1. Lindsay v. McTear, 1 Macq. 155, 1852
  2. Petrie v. Meek, 1859, 21 D 614
  3. see p. 17 fn 2; for a criticism of this decision, see G. A. MacKay, The Practice of the Scottish Poor Law. (Edinburgh, 1907), p 49



power to expend any of their funds in the relief of persons who are not both destitute and (wholly or partially) disabled. In considering the question of disability, however, in case of a person really destitute, the Inspector should not carry the letter of the law to an extreme, and cause delay in a doubtful case by the necessity of an appeal to the Sheriff. Moreover, it is obvious that if a person is really destitute, no long period would elapse before he also became disabled from the want of food". (1)

However, for most parochial boards, the practice of the unemployed seeking assistance outside the Poor Law had become so engrained that the circular had little relevance. (2) Unlike England with its periodic unemployment crisis affecting Poor Law workhouses, the Scots could forget that they existed. Only later when those on the margins of the labour market began to obtain a medical certificate of disablement and gained admission to the poorhouse did any really serious problem emerge.

The restriction of public relief was not merely confined to the unemployed but it also affected the sick poor. The older statutes by the generic phrase, "crukit folk, blind folk, impotent folk, and waik folk" implied assistance to the sick. But during the early years of the Poor Law medical assistance was rare and negligible. Poorhouses were almost unknown.

Institutional development in the 18th Century remained slow and haphazard and by the time of the 1844 Commission, Scotland had only twelve hospitals with less than 2,000 beds to meet the needs

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1. The Annual Report of the Board of Supervision, 1878-9. C 2416 (PP 1878-9 Vol XXX) "Circular and Minute Respecting Able-Bodied Persons out of Employment". Dated 12/12/78
  2. Third Report of the Select Committee on Distress of Want of Employment. (PP 1895 Vol IX) Evidence of J. Bell, the Lord Provost of Glasgow, given on 7/5/95



of the sick and infirm<sup>(1)</sup>. However, these hospitals would have been difficult to define as purely medical institutions. Most contemporaries believed they were,

"... the last refuge of those in the lower ranks of life who are exhausted by the long continuance of disease, or who have been labouring under disease from which, from their very nature, or the time they have subsisted, are absolutely incurable". (2)

With few poorhouses in Scotland, the "infirmary" had been established by the wealthy for precisely those the Poor Law had neglected, the poor and needy requiring institutional care. Virtually all provided free treatment. Some like Edinburgh Royal Infirmary had a charter specifically prohibiting paying patients. Others like

1. see Appendix 2A,B;there are a number of histories of Scottish hospitals. They include, T. C. MacKenzie, The Story of a Scottish Voluntary Hospital. (Inverness, 1946); A. L. Turner, The Royal Infirmary of Edinburgh, 1729-1929. (Edinburgh, 1929); H. J. C. Gibson, The Dundee Royal Infirmary, 1798-1948. (Dundee, 1948); J. Patrick, A Short History of the Glasgow Royal Infirmary. (Glasgow, 1940); H. MacDonald, The Glasgow Royal Infirmary. (Glasgow, 1971); The Origin and Development of the Victoria Infirmary of Glasgow. (na) (Glasgow, 1938); A. M. W. Thompson, The Glasgow Eye Infirmary, 1824-1962. (Glasgow, 1963); G. Irving, The Dumfries and Galloway Royal Infirmary, 1776-1975. (Dumfries, 1976); A. Ferrier, The Greenock Infirmary, 1906-1968. (Glasgow, 1968)
2. Irving, op.cit., p 14

Inverness, Dundee and Glasgow were still free to the patient, but admission was based on a "subscribers" line. These were based on the amount of yearly donations local landowners, burgh dignitary or parish had given. In many cases where they had lapsed, nominations and admissions continued to be made. Complaints were made, but as infirmaries received other income (legacies and day collections) the loss of these "lines" does not appear to have been critical. Before 1845 the casual nature of this system, admitting a motley group of the sick, the mentally insane, the aged and even tramps prohibited the development of all but the teaching hospitals into purely medical institutions.

In their evidence to the Poor Law Commission the Alisons' had argued for improvement in medical facilities. They had suggested not only more poorhouses to care for the aged and chronic sick but also an outdoor service based on local general practitioners. The existing service was even worse than the indoor one with very many parishes having no doctor at all<sup>(1)</sup>. In those that did have one, some doctors gave treatment free while others gave it on a note from the local landowner or kirk-session. Many doctors objected to the poor going to local "infirmaries" for free treatment whilst they remained underutilised and underpaid<sup>(2)</sup>.

The 1845 Act thus allowed parochial boards to continue to contribute

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1. Levitt and Smout, op.cit., Chapter 9; J. D. Comrie, The History of Scottish Medicine. (London, 1927-32)
  2. Irving, op.cit., p 29

to the voluntary hospitals and encouraged an outdoor service by specifically stating that,

"it shall and may be lawful to provide for medicines, medical attendance, nutritious diets, cordials, clothing for such poor". (1)

With an Imperial grant being offered from 1848 onwards most local boards did establish an outdoor service, although the lack of doctors and the inclination of boards to insist that medicines be paid for by the doctor themselves meant wide variations in practice<sup>(2)</sup>.

After 1845 many new poorhouses were constructed, but with parochial boards able to contribute to the voluntary hospitals, no English style workhouse infirmaries were established. Instead the new poorhouses found they were catering for a "mixed" group of inmate needs<sup>(3)</sup>. The sick the infirmaries did not or could not take, the chronically ill, the aged, the unwanted child and others all had to be housed under one roof. The design of the smaller poorhouses made proper classification difficult and even the larger ones found it hard to establish the kind of scheme the Board of Supervision desired. 1845 saw the beginnings of a Poor Law medical service, but few believed that it ought to cater for more specialised medical needs.<sup>(4)</sup>

Similar problems also affected the early development of the care

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1. Sect 69

2. Departmental Committee on Poor Law Medical Relief (Scotland). Cd 2008 (Report) and Cd 2022 (Evidence) (PP 1904 Vol XXXIII). "History of Poor Law Medical Relief Since 1845"; Return of Parish Medical Officers (Scotland). (PP 1905 Vol LXVIII)

3. Annual Report of the Board of Supervision, 1848. (PP 1847-8 Vol XXXIII). "report on ... Model Designs for Poorhouses"; Annual Report of the Board of Supervision, 1850. "Circular to Poorhouses".

4. see Appendix 2C



of the mentally ill<sup>(1)</sup>. If poorhouses accepted the insane then they had problems of classifying and segregating them from other inmates. The majority because of the cramped accommodation had found this difficult. If the new voluntary hospitals accepted them, other more curable patients would be excluded. Thus in many of the centres which had the new "infirmaries" separate mental asylums were established<sup>(2)</sup>. But it was not long before these too became overcrowded; families saw the advantages of depositing their relations in safe and secure institutions. The same was true of kirk-sessions and parochial boards.

The solution, rate-aided asylums, posed many problems. Parishes by themselves were too small to raise large capital sums; linking care to the Board of Supervision would taint all, including the respectable with the Poor Law; and the legal restraint necessary for a national policy to work was against the prevailing notions of "liberty of the individual"<sup>(3)</sup>. It was not until 1857, after an American lady, Dorothy Dix, exposed the chronic lack of asylum provision (resulting in a Royal Commission) that an Act was passed<sup>(4)</sup>.

The new Act created rate-aided asylums under district boards to ensure that all the mentally insane could be properly institutionalised. Those that could not pay full fees would have the cost met by their parochial boards without the same legal disabilities as the

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1. D. K. Henderson, The Evolution of Psychiatry in Scotland. (Edinburgh, 1964) Chapters 2 and 3
  2. C. C. Easterbrook, The Chronicle of Grichton Royal. (Dumfries, 1940); W. L. Lindsay, A General History of the Murray Royal Institution, Perth. (Perth, 1878); D. H. Tuke, Chapters in the History of the Insane ... (London, 1882)
  3. A. Halliday, A Letter to Lord Binning. (Edinburgh, 1818) and, A General View of the Present State of Lunatics. (London, 1828); W. A. F. Browne, What Asylums were, are, and ought to be. (Edinburgh, 1837).
  4. The Royal Commission on Lunacy (Scotland). (PP 1857 Vol V); Lunacy (Scotland) Act. Ch. 71. (20 and 21st Vict. 1857)

ordinary poor<sup>(1)</sup>. To preserve individual liberties still further, the central authority was kept separate from the Board of Supervision and was staffed by part-time, unpaid "men of affairs and of independent means". It was felt they would ensure that there was no overt state control on policy and practice. Until the 1890's little notice was taken of the Board of Lunacy's work. A large number of asylums were built and every parochial board had easy access to them for its insane poor. So successful was policy and practice, essentially under the control of a few doctors, that Scotland gained an enviable reputation for the advancement of mental welfare<sup>(2)</sup>.

In the early part of the century when a fever crisis occurred, infirmaries unflinchingly opened their doors to the infectious sick<sup>(3)</sup>. During the 1830's cholera epidemics the larger local authorities pressed for and received some legislative control over "public

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1. for a full description of the structure, duties and legislation contained in the 1857 and subsequent Acts see, The Royal Commission on the Care and Control of the Feeble-Minded. Cd 4202 (PP 1908 Vol XXXIV) (Scottish Report, Part XII) and evidence of T. W. C. Spence (Secretary to the Board), Cd 4217 (PP 1908 Vol XXXVII) given on 23/2/06
  2. see for instance, The Annual Report of the Board of Lunacy, 1880. C 3023 (PP 1881 Vol XLVIII). "Recent Changes in the Modes of Administering Scotch Asylums".
  3. surveys of Public Health during this period include. T. Ferguson, op.cit.,; T. Ferguson, Scottish Social Welfare, 1865-1914. (Edinburgh, 1958); A. K. Chalmers, The Health of Glasgow, 1818-1925. (Glasgow, 1930); H. P. Tait, A Doctor and Two Policemen. (Edinburgh, 1974); S. M. Blackden, The Development of Public Health Administration in Glasgow, 1842-72. (PhD Thesis, Edinburgh University, 1976); H. MacDonald, Public Health Legislation and Problems in Victorian Edinburgh. (PhD Thesis, Edinburgh University, 1972); C. Pennington, Mortality, Public Health and Medical Infirmaries in Glasgow. (PhD Thesis, Stirling University, 1977)



nuisances. By the time of the 1845 Act, a rather haphazard system of controlling infectious diseases had emerged. Infirmaries, poorhouses and local authorities all provided crisis accommodation. During the 1847-8 cholera epidemic, the new Board of Supervision hastily became involved in the various control measures. But due to Scottish medical and burgh opposition no lasting powers for the Board to become involved in Public Health emerged<sup>(1)</sup>. Infirmaries, poorhouses and specially constructed local authority fever hospitals continued to function whenever a need arose.

It was not until both Edinburgh and Glasgow found that many of its slum houses were falling down and endangering their occupants and passers-by that greater legislative powers to control defective housing and epidemics was granted. The permissive Burgh Act of 1862 allowed the appointment of local medical officers of health and the creation of permanent fever hospitals. After a further wave of epidemics, the Board of Supervision now realising that there was an opportunity for more widespread intervention pressed the Lord Advocate for more powers. In 1867 a new Public Health Act was passed. All local authorities (the parochial boards in rural areas) could engage a medical officer of health and a sanitary inspector. The Board of Supervision was created the central authority, but to mute the

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1. Ferguson (1944), p 147



concern of the burghs, no powers of compulsion were given. If it was felt that local needs were not being met, the Board could apply to the Courts for an appropriate order<sup>(1)</sup>. The Act also stated,

"The local authority may provide within their District Hospitals or temporary Places for the Reception of the Sick, for the Use of the Inhabitants. Such Authority may build such Hospitals or Places of Reception, provided the Board approve of the Situation and Construction". (2)

This somewhat badly worded section was intended to allow local authorities (including parochial boards) in areas not sufficiently provided by voluntary hospitals to build general hospitals. None were ever built. The Board of Supervision soon indicated that general hospitals could only be built if fever needs were completely met. Moreover, the rateable powers under the Act were so unwieldy that most local authorities found it hard to build any hospitals at all. Only the larger burghs made any real effort<sup>(3)</sup>. In terms of spawning general rate-aided hospital provision the Act was a dead letter.

During the 1870's, a clear demarcation in the structure of medical welfare organisations had evolved. Voluntary hospitals were freed from the necessity of dealing with the infirm, the chronically ill, the mentally insane and in the larger burghs, those affected with infectious diseases and so could turn their attention to acute illnesses and the newer horizons of surgical medicine. The

1. The Royal Commission on Sanitary Laws. Evidence of E. S. Gordon and W. S. Walker, the latter's given on 31/3/70
2. Public Health (Scotland) Act. Ch. 101. (30 and 31 Vict. 1867). Sect 39
3. J. Skelton, The Handbook of Public Health. (Edinburgh, 1892). Introduction

rapid expansion of beds, the extension of hospitals into newer parts of Scotland and the upward trend of admissions all testifies to the view that this was the golden era of the new voluntary hospital. In 1890, these hospitals provided more beds per head of population than their English counterparts. By contrast the public sector was correspondingly weaker. The English Poor Law infirmary and the Public Health general hospital had become well established; the Authorities had taken advantage of their legal right to establish such institutions. The Scots by contrast had not, and by contemporary account had found little urge to do so.

Other non-medical charities also flourished in the 19th Century. Throughout Scotland, the number of Parish and burgh trusts doubled and even trebled<sup>(1)</sup>. In Edinburgh the number of new charities established grew from 27 between 1800 and 1850 to 36 between 1850 and 1875 and 84 between 1875 and 1900. The pattern was the same in Glasgow. William Quarrier experienced little difficulty in the promotion of his orphan homes<sup>(2)</sup>. His annual income rose from under £10,000 in the 1870's to over £20,000 in the later 1890's.

The majority of charities, like Quarriers, had been established for a specific purpose. This was often seen in their name;

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1. Parish Trusts (Scotland) (No 1), Parish Trusts (Scotland) (No 2) and Burgh Trusts (Scotland). (PP 1905 Vol LXVIII); RCPL "Report on Endowed Voluntary Charities in certain Places, and the Administration relations of Charity and the Poor Law". (by A. C. Kay and H. V. Tonybee) Cd 4593 (PP 1909 Vol XV)
  2. ? Hatch, Life Story of William Quarrier. (Glasgow, 1900)

the Flora C Stevenson Committee for the Feeding and Clothing of Destitute Children; the Home for Crippled Children; and the Falconer Rescue Home. But many of these new charities were in open competition for funds. Others that were fully endowed jealously guarded their own autonomy and often refused to co-operate with any other over individuals in need or in local strategy<sup>(1)</sup>. This independence of action began to be seen by some philanthropists as likely to cause more harm than good and in the late 1860's new supra-charitable organisations emerged. The Association for improving the Condition of the Poor in Edinburgh (1868) was followed by a similar society in Aberdeen (1870) and a Charity Organisation Society in Glasgow (1875). They sought to co-ordinate all charitable activities in their areas by allowing the free exchange of information and by providing a new philosophy of action.

These predominately middle-class charities readily admitted that some causes of poverty like orphanhood were not the fault of the individual. But others like family desertion, illegitimacy, crime and drink were. They epitomised individual selfishness and the capacity of society to morally decay. For the individuals who ran these charities, living in the newer middle-class suburbs well away from the slums and industrial parts of the town, a fear of the unknown and a belief that the poor lived by different moral codes dominated their concern. To them

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1. A History of the Aberdeen Association of Social Service. (na) (Aberdeen, 1971) pp 17-18; H. L. Kerr, The Path of Social Progress. (Edinburgh, 1912) p 26; Kay and Tonybee, op.cit., p 244; E. O. Checkland, Philanthropy in Victorian Scotland. (Edinburgh, 1980) especially Chapter 22



"pauperism" was evil and the Poor Law itself entailed,

"... an inherent tendency to foster pauperism, to increase the expenditure for the relief of the poor and to deteriorate the character of the population amongst which the law is administered". (1)

The emotive language of a Poor Law creating "dissipation" and "demoralising the poor" found a ready and sympathetic audience. The continuance of family life and moral respectability were thus the ultimate ideals of these new charities. Only through self reformation by leading a more disciplined hard working life could these ideals be met in practice.

Although these new charities were not as successful as perhaps they had hoped to be, their philosophy had very real consequences for the poor and for statutory assistance<sup>(2)</sup>. They felt that they could reorganise the life of the "sunken" poor by carefully investigating their character and circumstances and then offering appropriate individual support over a period of time. By developing a practice that could reach into personality and character these new charities could engender a new moral consciousness that would rescue the poor from further social degradation. But the practice has also to reflect the nature of existing social relationships and as middle class life was dominated by the normative belief in rational calculation and exchange then so too the approach to the poor entailed

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1. quote by the Secretary of the Board of Supervision, reported in, Colin Harvey, Poverty and Voluntary Poor Relief in Edinburgh, 1845-65. (MA Thesis, Edinburgh University, 1972)
  2. see Kerr, op.cit., and Kay and Tonybee, op.cit., for a fuller discussion of administrative failings

rationality of action. This rationality assumed that the vast conglomeration of relieving agencies enhanced fraud and deception. It allowed the poor to perpetually trade off the humanity and concern that most had for those less fortunate. Individuation and discrimination in treatment would "discover" the true circumstances of poverty and social decay. Organised charitable action was the best method of obtaining this happy ideal because it ensured that the poor recognised monetary benefits were temporary, something to aid character reformation. Even so the Poor Law ought to follow this lead and become more discriminatory, more reformatory in purpose and more rational in the pursuance of policy.

After some outbursts from charities and local boards and with a change in Board of Supervision officials other boards slowly began to adopt this new ethic and this new policy<sup>(1)</sup>. The spirit of the Poor Law moved away from the Alisonian belief of a legal right to relief by the poor to a more Chalmerian one which stressed public charity and the need to be far more active in character reformation. The aim now was to enforce a more stringent poorhouse "test"; to continue to improve the facilities for indoor relief and to ensure adequate home visitation. Only in this way would fraud be countered and individual support maintained<sup>(2)</sup>.

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1. see the Chalmers Assoc., op.cit., and the Select Committee on the Poor Law (Scotland), evidence of A. H. McLellan and A. MacLaren, given on 7/5/69, R. S. Muir and A. Menzies, on 4/5/69, W. Hay on 27/4/69, P. Beattie on 11/5/69 and D. Lewis on 8/6/69
  2. The Annual Report of the Board of Supervision, 1877-8. C 2166 (pp 1878 Vol XXXVIII). "Circular as the use of poorhouse as a test", M. MacNeill, "Utility of Poorhouses" in D. A. Pearson, Conference on Charity and the Poor Law. (London, 1885); D. G. Buglass, The Classification of Poorhouse Inmates (Edinburgh, 1875)

Soon the poor rolls began to fall, particularly in the more rural parts of Scotland. Those that remained on the rolls, as a corollary of the increased discrimination between the deserving and undeserving found a steady improvement in allowances and indoor care<sup>(1)</sup>. Thus the reduction in the rolls was not matched by a reduction in costs per recipient. What had been reduced was the cost to the rates. By 1890, because of economic growth and the rise in property wealth, every ratepayer was contributing less to Poor Relief than at any time since the 1850's. To those who had been advocating a tighter statutory service, this new policy of adequate assistance for "the proper objects of relief" and none for the fraudulent could be deemed a success.

The Victorian Scottish welfare system indicated all the hallmarks of a successful and aggressive capitalist society. The previous agrarian and traditional system had been radically altered with the State now recognising the necessity for some minimum intervention in the fields of poor relief, the care of the insane and in public health. But further State intervention had been prevented. Middle-class Scotland had no desire to see central government either in London or in Edinburgh direct and develop welfare policy. To them the old tradition of burgh independence could usefully be integrated with the principles of laissez-faire economics to prevent centralised bureaucratic control.

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1. See Appendix 2D,E; also RCPL(SE); evidence of J. T. Maxwell (Head of the Board's Statistical and Audit Branch), given on 13/5/07



The controls that did exist were solely concerned to ensure the preservation of public order by some minimum statutory intervention. Moreover, the Board of Supervision, the central arm of government welfare policy, accepted a view of policy development that recognised the importance of voluntary effort in medical care. It also felt it opportune to borrow from organised charity the emerging new philosophy of welfare action and harness it for its own uses.

With a successful capitalist economy, 200 independent burghs and 900 parochial boards, 19th century Scotland had evolved a peculiar form of welfare; a weak central authority, a restrained statutory involvement and a growing organised charitable sector. It was a system that many Poor Law commentators found gratifying. To them, in comparison with England, Scotland with its lower Infant Mortality Rate and better life expectancy did seem to promote the health and welfare of its people.

However a system created by a confident and progressive middle-class democracy was not necessarily suited to one facing more severe economic challenges. The difficulty that politicians and officials found as administrative problems surfaced was that the system had become so well ingrained that any alterations in what was considered appropriate, even distinctly Scottish, provoked anguished convulsions.

### CHAPTER THREE

#### URBAN CONGESTION, FAMILY REGENERATION AND THE PROFESSIONALISATION OF SICK CARE: THE REORIENTATION OF POLICY IN THE NINETIES

Scotland by the latter part of the 19th Century was thus an industrial society. However the cost of that industrial progress had been great; there were now large numbers of semi-skilled and unskilled labourers housed in the overcrowded quarters of the large towns and cities. This cost was also seen in the comparison between urban and rural workers' health. According to one commentator, although the health of the urban areas did improve between 1851 and 1871, it continued to remain relatively far behind rural areas until the First World War.<sup>(1)</sup> The infant mortality rate was particularly bad. Whatever sanitary improvements had occurred before 1890, they had ceased to be of any great value in promoting urban health standards.

Many contemporary writers, though lacking any precise figures began to see that the demands by employers for more efficient workers were altering the structure of the labour market<sup>(2)</sup>. The marginal economic utility of the unskilled, middle-aged and physically less fit was declining. Poor law administrators also noticed a change in the nature of their claimants. One witness to the

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1. Barclay, op.cit., Chapter 3

2. PLM, 1891, p 393, W. Dalgleish, "Changes in Poorhouse Management"; 1897; p 353, Rev. H. Ross, "The Able-Bodied Poor in Scotland".

Poor Law Commission from Leith remarked that every time there had been a trade depression, third rate labourers from Edinburgh poured into the Burgh seeking casual dock labour<sup>(1)</sup>. When they found no work many tried to apply for the poorhouse. Every urban poorhouse suffered the same fate, more and more casual labourers on the borderline of physical fitness were applying for relief.

It was against this framework of stagnating record in public health and the deteriorating market position of unskilled labour that the existing and emerging welfare institutions had to operate. No public one, if it was to maintain the electorate's confidence, could ignore these developments. To have done so might have endangered the maintenance of public and social order, the essence of their very function. For the parochial boards these problems associated with continuing urban squalor can be examined in closer detail by looking at three specific areas of relief, to the able-bodied, to children separated from their parents, and to the sick. It was in these areas that the established philosophy of adequate but discriminatory treatment came under the greatest stress and in which the generation of a new philosophy of more expansive care began to take shape. But first it is important to indicate the wider developments in the political control of social administration which were to have a direct bearing on the pace of change.

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1. RCPL, Cd 5076 (PP 1910 LII) Report by J. C. Pringle, "On the Effects of Employment or Assistance given to the Unemployed since 1886 ...", p 57



In 1885 the franchise was extended to about 60% of the adult male population. The existing form of rural government, based almost entirely on self-appointed property owners, was now an anachronism. At the same time, partly as a move to head off home rule and partly to facilitate the easier passage of domestic legislation, a Parliamentary Office for a Scottish Secretary was created<sup>(1)</sup>.

The Lord Advocate was no longer the "de facto" head of Scottish Administration. Although the new Scottish Office was rather parsimoniously staffed, it did herald an important change in the way Scotland was governed. The old representational elements, the burghs, the church and the legal profession no longer had the same direct influence in determining the pattern of legislation<sup>(2)</sup>. The rather diffuse nature of central control had been transformed into a specific one, which over the next ten years led to feverish activity in building up a new form of local welfare administration.

However a full scale reform of the parochial system was in 1889 abandoned by the Conservatives. Keen to dish the Liberals, they were against too radical a change<sup>(3)</sup>. Their Act limited the reform to County Government, sweeping away the old commissioners of supply and establishing directly elected councils. The parochial boards were retained, but in county areas they lost their public health powers to the newly created district councils, a separate "sub committee" of the county council. In response to Liberal pressure,

1. H. J. Hanham, "The Creation of the Scottish Office", Judicial Review, (1965) Vol 10; Kellas, op.cit., Chapter 7
2. S. Mechie, The Church and Scottish Social Development. (London, 1960). Chapters 8 and 10, Appendix XCIX "Memorandum by the Scottish Office on the Local Government System in Scotland" and RCPL(S). Cd 5440 (PP 1911 Vol LIV) "Memorandum as to Local Government and Authorities in Scotland".
3. J. P. MacDougall and J. M. Dodds, The Parish Council Guide for Scotland. (Edinburgh, 1894) Introduction

the Conservatives agreed to the mandatory appointment of medical officers of health by the burghs and the county councils who were the public health authorities.

This Act was followed up, when the Liberals returned to power in 1892, by the complete reform of parochial administration. The parochial boards were replaced by popularly elected parish councils. The Liberals felt that they, together with the new county councils, would "quicken the pulse of local self-government", improve welfare provision and maintain public and social order.

At the same time, the Board of Supervision was also abolished and replaced by a Local Government Board, containing the Scottish Secretary as President, his Permanent Secretary, the Solicitor-General, a chairman, a legal member (who had to be an advocate) and a medical member (who had to hold a diploma in public health or have had five years experience as a medical officer of health)<sup>(1)</sup>. The latter three were salaried, full-time and responsible for the day to day administration. With the introduction of a rigorous audit system, the new Board had a duty to promote efficient government<sup>(2)</sup>.

Outwardly these changes seemed to herald a dramatic turn in national and local government, but in practice it was no more than a change in the form of government. Certainly the new Board did have a medical

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1. Royal Commission on the Civil Service, Third Report (Evidence). Cd 6740 (PP 1913 Vol XVIII). Evidence of Sir G. MacCrae, Chairman of the Board, given on 15/11/12 and Sir J. M. Dodds, Permanent Under Secretary at the Scottish Office, given on 14/11/12; see also SRO HH 45/62, 65 Evidence of J. Lamb and Lord Alness (Robert Munro) to the Committee on S Administration.
  2. Maxwell, op.cit.,

member, but he had no separate medical department nor any additional staff for the close investigation of Public Health and Poor Law matters. All the extra clerks that had been employed as a result of these changes were specifically employed to deal with the new system of local government audit. Without any technical department the Board was forced to ask army engineers to comment on the plans it received on hospitals and poorhouses. Moreover the Board's complement of staff was proportionately barely half that of the English Local Government Board<sup>(1)</sup>. But compared with the position under the old Board, where poorhouse plans had been dealt with by General Superintendents of Poor and advice on medical matters lay solely with a part-time medical advisor, the 1894 reform did at last acknowledge the necessity of allowing more than a legal perspective into national welfare policy development. That acknowledgement was soon tested with the new Conservative Government's plans for Public Health legislation.

One of the major factors influencing the need for local government reform in 1889 had been the failure of rural parochial boards to develop Public Health provision. Few areas had an isolation hospital and most medical officers of health, where they had been appointed, were local G.P.s doing the work part-time<sup>(2)</sup>. The 1889 Act together with the Infectious Diseases (Notification) Act of the same year was the practical outcome of these difficulties. From

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1. See Appendix 3A and B

2. T. G. Naysmith, "Sanitary Difficulties in Scotland", The Sanitary Record, (1886/7) Vol VIII, p 112



1889 the expenditure on Public Health hospitals gradually began to increase<sup>(1)</sup>. However the building of isolation hospitals had still been left to the discretion of the local authority and many were slow to develop this service. This soon began to anger many in the Public Health field. There was little point, as one medical officer saw it, in half the country having hospitals and the other half not<sup>(2)</sup>. Disease acknowledged no local government boundary. It was he argued, important to recognise that the early environmental approach to Public Health had now been supplemented by individualised medical attention in a hospital.

The new Government had other ideas. It decided that the Public Health laws needed only minor modification. There was an immediate outcry from many medical officers of health and some local authorities, and after intense medical lobbying a much altered Bill was presented<sup>(3)</sup>. If the Board now felt there was a need, isolation hospitals had to be built. They also had the sole power to dismiss a local medical officer. Thus the Act greatly enhanced the power of both the local medical officer and the Board's medical member. Matters of medical substance could only be assessed and adjudicated by these professionals. The Act however had one important drawback; the power that local authorities had to build general hospitals was removed and so too was the proposition that they could provide an outdoor medical

1. In 1887, £29,000 had been spent, in 1891 it was £71,000 and by 1896, £132,000. See the Annual Reports of the Local Government Board; see also J. B. Russell, Public Health Administration in Glasgow. (Glasgow, 1905) Chapter 4
2. R. McNeill, Epidemics and Isolation Hospitals. (London, 1894) pp 37 and 88
3. Public Health (1895/6) Vol 8, p 235 (Comment) and A.C. Munro, op cit

service. Thus the function of Public Health was now specifically narrowed to environmental services and prescribed infectious diseases. The Act was therefore an important delineator in service boundaries, the Public Health medical service could not stray into either the territory of the Poor Law or the voluntary hospital. The fear of a "doctor ridden" country had been too great<sup>(1)</sup>.

In many respects these changes in the mode of government reflected the deeper social and economic movements occurring within Scotland. Since the early 1880's, there had been a virtual stagnation in agricultural land valuation<sup>(2)</sup>. By contrast, housing values continued to increase and by 1890 housing contributed to over 50% of rateable valuation. Thus the main burden of rates fell on the middle classes. Moreover, half the population now lived in the large towns<sup>(3)</sup>. Scotland had become a country dominated by urban living and middle class property rights. Social welfare could not escape these twin pressures. On the one hand, the middle classes, now firmly in control of local administration, were concerned to protect their financial contribution to social welfare<sup>(4)</sup>. But on the other, there was a new fear that public and social order was being endangered by the sheer density of social ills. One of the first fears that Poor Law administrators had to face was that of the growing number of

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1. Hansard, Vol 24, 22/5/94. Second Reading of the Local Government Bill, especially comments by Sir C. J. Pearson (Conservative, Edinburgh, St Andrews Universities); see also R. M. MacLeod, "The Frustration of State Medicine, 1880-99", Medical History, (1967) Vol II, for an account of comparable English developments.
  2. Report on Local Taxation in Scotland. C 7575 (PP 1894 Vol LXXIV Part II)
  3. Barclay, op.cit., Chapter 2
  4. for the inequities that house owners faced in the assessment

casual labourers seeking some form of statutory assistance.

Throughout the seventies and eighties, the Board had, in an attempt to control the able-bodied, sought to influence local boards in the provision of "test wards". Malcolm McNeill, the Visiting Officer and later Chairman of the Local Government Board, when reviewing the position in 1888, could state that he now had the satisfaction of,

"observing that stone-breaking, bone crushing, fire-wood splitting, firelighter-making and sack-sewing have been introduced in many poorhouses and ... that discipline is improved, contentment is increased, imposture discouraged, [and] outdoor administration is fortified". (1)

The Board had even been prepared to stretch the law in order to overcome statutory defects of administration. In the early seventies they permitted a number of poorhouses to detain certain categories of "ins and outs" for up to seventy-two hours<sup>(2)</sup>. This, they felt, would both repel the "doubtful claimant" and offer the benefits of a regular routine of work and of proper diet.

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of their rates see, "The Memorandum by the Scottish Office on the Local Government System ...", op.cit., and the Departmental Committee on Local Taxation in Scotland. Cmd 1674 (PP 1922 Vol VIII) Section 37 of the 1845 Act allowed industrial owners to claim relief for the depreciation of their plant.

1. The Annual Report of the Board of Supervision, 1888-9. C 5815 (PP 1889 Vol XXXVI) Report by M. McNeill, Visiting Officer South-Western District. Note that the "Circular on the Use of the Poorhouse as a Test" had been re-issued in 1887; for a photographic record of poor laws during this period see, C. Harvey, Ha'Penny Help. (Glasgow, 1976) Chapter 1
2. The Annual Report of the Board of Supervision, 1870. C 236 (PP 1871 Vol XXVII) p xii



The law permitted only twenty-four hour detention. Glasgow City, Dundee and Paisley all took advantage of this relaxation, with Glasgow Barony going further by building and equipping a special detention ward<sup>(1)</sup>.

Despite this new vigour, all attempts to check the flow of the able-bodied floundered. Firstly, as one commentator pointed out, the Poor Law had no control over the manufacture of market "rejects", particularly the middle-aged man "of weakly constitution"<sup>(2)</sup>. These claimants could easily play on real and imaginary ailments to avoid the "test" yards. Secondly, the lack of administrative control within the poorhouse operated in favour of the able-bodied. Once certified as "disabled", however minor the ailment, the lack of systematic follow-ups by the medical officer, ensured the continuance of the claimant's excuse. Thirdly, there had been no real tradition of "test" yards in Scotland. The construction of very few poorhouses allowed for any complete segregation that the system demanded. With little tradition and with inadequately constructed poorhouses there were few governors capable of implementing a really vigorous programme. Fourthly, "pauper" labour was always at a premium for the daily chores within the poorhouse. Most boards were too cost conscious to employ outside staff. Hence good workers were frequently pulled out of "test" work to assist in ward duties or in the grounds. By the early nineties, it was

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1. The Third Report from the Select Committee on Distress of Want of Employment. (PP 1895 Vol IX) Evidence of J. R. Motion (Inspector of Poor) given on 7/5/95. The wards were built in 1882 and Barony was allowed seventy-two hour detention in 1888.
  2. Dalgliesh, op.cit.; see also J. Harris, Unemployment and Politics. (Oxford, 1972) Chapter 1

obvious that the policy of "test" yards in the urban poorhouses was a failure. Glasgow Barony admitted that their yard had never really been used. Alternative strategies were now felt necessary.

Unemployment had not only affected parochial boards. With each trade cycle, more and more men resorted to the "footloose" life of the inner city, residing at nights in common lodging houses, alley-ways, poorhouses and parks. Drinking, gambling and vagrancy formed the core of their social life. By 1888, the Glasgow Police Authority suggested some form of poorhouse detention for habitual offenders and petty criminals<sup>(1)</sup>. This was taken up by many groups, including the Glasgow Presbytery, who were investigating housing conditions, poverty, and unemployment. As an extension of this work they visited German labour colonies in 1892<sup>(2)</sup>. Although the differences in the legal codes made the complete adoption of the German scheme impossible, they were sufficiently impressed by them to recommend that a modified scheme be given serious consideration.

However this scheme encompassed the genuine unemployed as much as the casual poorhouse "in and out". It took Glasgow Barony's Inspector of Poor another two years to adapt the scheme and move,

"from viewing the labour colony as a measure for assisting the ordinary unemployed, to demanding it as a

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1. Glasgow Barony PBM, 10/9/88
  2. The Presbytery of Glasgow, Report of the Commission on the Housing of the Poor. (Glasgow, 1891); Association for Improving the Condition of the Poor (Glasgow), Report on Labour Colonies. (Glasgow, 1892).

place of detention for men of predatory habits and loose morals, who demoralise alike the casual and unskilled labour markets and relief works". (1)

With this change of conception, and when a local Police Bill failed to secure some powers of detention, a number of local agencies agreed to establish a voluntary labour colony for the casual labourer<sup>(2)</sup>.

The new movement was further strengthened in 1894 when the adverse winter weather exacerbated a trade depression. In response to both the depression and a renewed interest in unemployment, the Board of Supervision undertook a survey of relief measures in 1894. A further study was conducted the following year by a Select Committee on the Distress from Unemployment. Both revealed that the traditional methods of relief had been initiated<sup>(3)</sup>. Some 10% of the population had been or were receiving assistance from the town councils and charitable funds in the form of relief work, soup kitchens and food vouchers. In the larger areas, under the heavy swell of applicants, relief works had to be abandoned as

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1. Pringle, op.cit., p 42; PLM, 1895, p 177, J. R. Motion. "Notes on the Scottish Poor Law, Unemployment and Labour Colonies". (Reprinted from the Transaction of the Royal Philosophical Society of Glasgow, 1894).
  2. ibid., 1894, pp 6 and 140, "Proposed Labour Colony in Scotland" and 1896, p 636, where colony established at Ruthwell, Dumfriesshire; Glasgow Barony PBM, 9/5/94. The magistrates and police had become hostile to parochial intervention. They felt their interest in the vagrants and others had less to do with begging and more to do with them not working.
  3. Report by the Board of Supervision on the Measures taken by Local Authorities for the Relief of Able-Bodied Unemployment. C 7410 (PP 1894 Vol LXX) Prepared by R. B. Barclay, General Superintendent of Poor and dated 10/2/94.





irrelevant in favour of more immediate doles. Personal investigation of circumstances, the catch-phrase of the philanthropist, was reduced to the simple expedient of completing an application schedule. Although the Survey found that the boards were still clinging to the 1878 circular, it was noted by one observer that, "a certain proportion of workers, who from infirmity or of temperament are always the first to be dismissed", continued to apply for poor relief<sup>(1)</sup>. The urban poorhouse had begun to fill up. The Glasgow Boards were so full that they had to board out many of the aged, the infirm and children.

Whatever the causes and nature of the distress, the General Superintendent of Poor who had conducted the Survey felt sufficiently impressed by the privation to recommend the relaxation of the 1866 ruling. He considered it expedient that boards should have the right to give assistance to the unemployed in times of severe distress. His Survey had shown that the unemployed had received markedly less in allowances than the ordinary poor. Inequality of treatment, even if it was provided by a voluntary fund was no longer permissible.

The undercurrents of the previous decade's thought over the criminal, the habitual drunk and other "degenerates" had led to the appointment of a Committee on Habitual Offenders, Vagrants, Beggars, Inebriates and Others in 1894. It soon began to encounter

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1. Third Report from the Select Committee on Distress from Want of Employment. Evidence of J. Bell (Lord Provost of Glasgow) given on 7/5/95. Barclay in his Report notes that boards sometimes gave relief when a dependent was ill. op.cit., p 29

a number of problems. Foremost was the legal necessity to differentiate between those who were hardened criminals and those who, like the drunkard and the vagrant, had cost public funds very little. Moralising over a "submerged" population was one thing, to try and translate it into a policy of direct control by public authorities was a totally different matter. The Committee found that no one had a fully worked-out classification system; indeed some like the Glasgow Barony Inspector had actually spurned their use. He told the Committee that he did "not believe in too much sub-division, or in too particular a classification".<sup>(1)</sup> Unable to differentiate precisely between the criminal and those on the edge of the labour market the Committee could not suggest the blanket detention and reformatory powers many of its witnesses desired. It considered that to do so would have been an infringement of individual liberty. Instead it resorted to relating separate categories of offence to particular measures of control. Habitual offenders were to be committed to labour settlements run by the Secretary of State; those of "weak intellect" were to be sent to separately administered poorhouses; the Inebriates Act was to be strengthened, and vagrants and juvenile offenders were to have greater statutory support. However the Committee also recognised the deficiencies in public support for the unemployed and they recommended that Police Authorities ought to be able to

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1. Departmental Committee on Habitual Offenders, Vagrants, Beggars, Inebriates and Juvenile Delinquents. C 7753 (PP 1895 Vol XXXVII). Evidence given on 13/11/94

give assistance with the right to extract "a labour equivalent". The unemployed would then be prevented from merging with the vagrant class and the recruitment of the "submerged" pool of labour would be halted.

Unfortunately for the Committee the grandness of the scheme could not fail to hide its weaknesses. It had neither provided working definitions of the various categories nor provided a sufficiently detailed breakdown of financing the labour settlements and other institutions. The only immediate legislative result was the 1898 Inebriates Act, which allowed confirmed alcoholics to be detained in reformatories. The poorhouse "in and out" as a distinct group was left untouched<sup>(1)</sup>.

Thus by the late 1890's, the thrust into the problem of the unemployed had produced few tangible results. All the reforms suggested required major alteration in the relationship of the individual to the State and in the functions of it to the local authority. Indeed much of the discussion had tended to borrow criminological language, control, regulation and punishment, which stood in sharp contrast to the prevailing notion of free independent labourers able to make or break contracts at will. Moreover, the nature of the problem was still at an elementary stage of analysis. The majority of Poor Law witnesses

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1. It should be noted that the Board backed a call by Glasgow Barony for the legal restraint of habitual offenders, see PCM, 16/2/98



to the various Committees of Inquiry had presented evidence based on moral outrage. Few had produced convincing evidence that parochial administration, far less street order, was actually breaking down. A more popularly based electorate that had grown up in an era of the liberty of the individual and on the need for a limited Government intervention in social affairs required greater proof that order was indeed threatened. However, what the Inquiries had shown was that not only were there many able-bodied on the margins of the labour market who could never be completely self-supporting, there were also many more otherwise "respectable" labourers who were, in the face of more severe trade depressions, increasingly unable to maintain their self-support. These aspects were to weigh heavily on future discussions.

Throughout this period, Poor Law policies towards children also began to alter. Children under board care could be divided into three groups; those which received relief at home with their parents, those who were relieved inside a poorhouse, and those who (being orphans or deserted by their parents) were boarded-out. In the latter group there were also a small number of children whose parents were in prison or in a hospital.<sup>(1)</sup>

The Falkirk board was the only one known to have objected to boarding-out. It maintained that the poorhouse offered greater control and supervision over a child's development. However, for the other urban boards, the removal of children from the poorhouse to farmsteads and crofts, clad in normal clothing and receiving regular medical attention and schooling was itself justification. Not only would the child be removed from the unhealthiness of the

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1. For this section see Appendices 3C and D

towns, but would not suffer the taint of the poorhouse "pauperism". Moreover, by placing the children in areas well away from the board they felt they would attract larger numbers of foster parents. The lack of day to day control would help maintain a good relationship between the board and the foster parent and reduce the possibility of the child retaining "pauper" habits. The majority of children on reaching "pupillarity" (fourteen for boys and twelve for girls) tended to either enter labouring occupations or domestic service<sup>(1)</sup>. Many of the larger boards employed a special inspector whose sole duty was to supervise these children in foster homes.

It was natural, given this system, that great emphasis should be placed on boarding-out as a distinctive feature of Scottish Poor Law administration. However, there remained one area of child welfare within the Poor Law that administrators considered "ultra vires". Both traditional morality and the existing law stressed the value of the natural relationship of child to parent<sup>(2)</sup>. Although in part this reflected a presbyterian family orientated culture, it also reflected past economic conditions where the parish would have been too poor to provide any widespread support. Thus to destroy a family relationship would have been to

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1. RCPL(S). Evidence of J. R. Motion, given on 5/6/07. Appendix CLVIV (K), "Statistics showing Number of Children taken off Roll for Work during Ten Years; also their Whereabouts, Characters and Occupations, with Comparisons", (1882-1906)
  2. Barbour v. Adamson, H of L Macq 376. This decision stated that "domestic ties should not be violently severed by the Poor Law"; see also the Report of the Committee on One-Parent Families. Cmnd 5629-1 (PP 1974 Vol XX) "Memorandum by the Scottish Law Commission".

destroy the foundations of society, even where a parent seemed worthless and "immoral". Hence a parent deemed as such by a board and granted indoor relief could not be separated from their children. Apart from the normal poorhouse regulations over work, eating and sleeping, parents had to have reasonable access to their children at all times.

This morality and law, however, began to conflict with the new policy of discriminatory, but adequate relief. If illegitimacy, drunkenness and petty crime were all morally indefensible, and if keeping children in a poorhouse was also indefensible, then good administration ought to try and evolve a policy that would somehow keep these children free from the habits of their parents. But in the 1870s the belief in maintaining natural family ties was so powerful a value that the Board were unable to sanction any strict departure from the legal position. A Wigtonshire Board in 1877 had sought to offer a mother with five illegitimate children poorhouse relief. She refused and the local board became worried about the children's fate.

If they starved the board felt they might be held liable for manslaughter. They asked the Board for advice, but all they could offer was a Minute freeing them from legal liability and told the Inspector that he should,

"endeavour to get them [the children] away from their mother and carry them to the poorhouse, if he can do so quietly and peaceably". (1)

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1. Annual Report of the Board of Supervision 1876/7. C1884 (PP 1877 Vol XXX VII) Letter to Kircowan Parochial Board, 9/7/77



As this would have been nothing short of kidnapping, it was really no advice at all.

This and other cases, however began to worry the Board and by the time a Kircudbrightshire Board asked advice on a similar, problem in 1883 they had altered their stance<sup>(1)</sup>. The local Board were now told they did have the discretion to board-out any child of a person who had accepted and continued to receive poorhouse relief. There was an important difference between short term and long term institutional care. Those in the latter category could obviously suffer much greater danger of acquiring "pauper" habits and it was therefore in the Board's and child's interest to foster such cases. The previously inviolate relationship between parent and child could therefore be broken with official sanction.

It was in Glasgow Barony that this policy was tested to a critical point. With the increasing numbers of casual labourers seeking relief, the Board found in the early 1880's that its Poorhouse was becoming overcrowded. At the same time, their policy of stricter control of the outdoor rolls meant that an increasing number of women with "profligate" habits were only being offered poorhouse relief. Out of some ninety admissions of children each month seventy had a parent<sup>(2)</sup>. Barony's problems increased when

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1. Departmental Committee on Habitual Offenders ... Appendix XXXV, letter to Kirkpatrick-Durham Parochial Board, 19/12/83.
  2. Figures extracted from Glasgow Barony Parochial Board Minute's monthly poorhouse returns.

the Board told them their Poorhouse was both over crowded and insanitary<sup>(1)</sup>. In response to these pressures a number of Board members began to seek improvements in the schooling of Poorhouse children.

Their plans were soon thwarted. So defective was the Poorhouse administration and so great were the numbers now in care that little internal change could be implemented. In exasperation, and not willing to suggest reverting to indiscriminate relief, two Board members proposed that,

"influence be used to induce mothers to allow their children to be boarded out". (2)

The problem was further complicated by the fact that it was nearly impossible to recruit sufficient numbers of Roman Catholic foster parents around Glasgow. Thus in early 1884 a new effort went into recruiting homes in the north-east of Scotland. By chance, their problems were mentioned by a Board member to a passing General Superintendent of Poor, who to their amazement, informed them they did, in certain cases, have the right to foster out children whose parents were in the Poorhouse<sup>(3)</sup>.

Armed with this new information, those in favour of fostering such children soon engaged those who were not in favour in fierce argument. Those who opposed the plans felt that fostering these children would relieve the parent of their natural duty to

1. Glasgow Barony PBM, 2/4/83

2. ibid., 15/10/83. Mr Sellars and Dr Buchannan were the proposers.

3. ibid., 16/6/84. Meeting of J Brand and M McNeill

provide for their offspring. Without Public Authorities enforcing this duty, parents could be free to continue their "immoral" lives, perhaps producing more illegitimate children to be a burden on the rates. There would be no check, indeed the very opposite, to pleasure seekers living off other hard-working and God fearing families.

Those who were in favour argued that apart from the moral benefits to the children in a normal working class home, the mother once freed from the worries of providing for her children, would be able to devote her energies to improving her circumstances. While admitting that some would produce more children, they felt that policy ought to prevent the "hereditary" transmission of "pauper" habits from one generation to the next. In the short run there might be more children, but in the long run the "fountain-head" would be reduced. There were thus two irreconcilable strategies for the development of child care policy.

Barony asked the Board for clarification of the legal position. They received a rather tortuous reply which stated,

"I have to inform that, without pledging the Board, I gather the ground of the opinion referred to, to be that the pauper surrendering herself and her family into the hands of the Parochial Board to be maintained according to law, and their legal maintenance in the Poorhouse involving separation, she is not entitled to prescribe to the Board how their duty to her children is to be performed, and thus, if they think it is best for the children, the Board are at liberty to maintain them elsewhere under the roof which sheltered her". (1)

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1. *ibid.*, 22/9/84, Board's letter of 29/8/84



Barony in November 1884 agreed to a trial period of fostering children whose parents were in the Poorhouse<sup>(1)</sup>. Some thirty-two Catholic children, of whom some thirteen had mothers in the Poorhouse were taken north. Although the Board had restricted their letter to children of parents in the Poorhouse, Barony was quite clear that their policy was intended to cover children whose parents subsequently left the institution. They would have to demonstrate their competence in looking after their child. Some parents were quick to complain that Barony was refusing them access and the Board, with Home Office assent stated that their action could not be approved as, "an absolute rule without exception"<sup>(2)</sup>. It was not justifiable in law. Barony remained unmoved, and over the next decade fostered about fifty separated children each year<sup>(3)</sup>.

The policy, however, was entirely confined to Poor Law children. It was still based on a belief that they were only responsible for the legal poor, those that applied for relief or were destitute to the point of starvation<sup>(4)</sup>. Those who were merely "morally" or physically badly-off had no claims on their services. Barony remained suspicious of the newly created Prevention to Cruelty Society in Glasgow, which in 1884, began to deposit children in their Poorhouse. It was too much like canvassing for clients.

It was not surprising, after the Board's ruling on access that

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1. *ibid.*, 3/11/84
  2. *ibid.*, 1/6/85. Board's letter of 23/5/85
  3. *ibid.*, 14/5/94; also J. R. Motion, "Notes on the Scottish Poor Law ...", *op.cit.*, for an early hint of Barony's policy and the reaction of other Boards see the statement of J Gifford to Pearson, *op.cit.*, on 28/4/85
  4. W.G. Black, A Handbook of Scottish Parochial Law. (Edinburgh, 1893)

Barony devoted more attention to preventing parents from regaining their children. Although they welcomed the 1889 Child Cruelty Act which allowed easier prosecution of neglectful parents and the right to remove children from "harmful" surroundings, they still recognised that a really determined parent could regain their child from a board<sup>(1)</sup>. Thus when a Bill was brought forward for England in 1891 which allowed Board of Guardians to retain a child in their care until a High Court deemed otherwise, Edinburgh and Barony showed great interest. The Inspector at Edinburgh successfully petitioned the Lord Advocate for its applicability to Scotland. Now no parent whose child had been chargeable to a board could claim automatic access<sup>(2)</sup>. One parent who tried in Glasgow was told by the Sheriff that only the Court of Session could competently decide the case<sup>(3)</sup>. The cost of that kind of action effectively barred most poor working class parents from pursuing their claim. Poor law administrators now believed they had both a moral and a legal right to determine the correctness of family life.

Throughout the early 1890's this policy was gradually adopted by other boards<sup>(4)</sup>. Most witnesses to the Habitual Offenders Committee expressed the desire for such powers and the numbers of separated children on the Poor Law more than doubled in the decade. The policy gained further impetus from the 1894 Child Cruelty Act which

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1. Prevention of Cruelty to, and Protection of, Children Act. Ch. 44 (52 and 53 Vict. 1889)
  2. Custody of Children Act. Ch. 3. (54 Vict. 1891); see also the evidence of G. Greig to the Departmental Committee on Habitual Offenders, given on 28/11/94 and to the Departmental Committee on Reformatory and Industrial Schools. C 8290 (PP 1897 Vol XLII) given on 5/3/96
  3. PLM, 1896, p 371, "Glasgow Barony Parish Council v. Campbell"
  4. Glasgow City PBM, 23/8/94 where Board forced to adopt practice



widened the definition of "neglect" and deemed the poorhouse a "place of safety" where the police and others could place children thought "in danger"<sup>(1)</sup>. The Poor Law was brought in even more direct contact with preventing child cruelty by the 1897 Infant Life Protection Act. The local inspector of poor was made the Act's local agent<sup>(2)</sup>.

By the turn of the Century, the Poor Law had broken new ground in the care of children. Separated children were now one of the fastest growing groups receiving poor relief. This new policy had not stemmed from any radical desire to extend the Poor Law's operations. Rather it stemmed from the logical evolution of the principles that had become established in the late 1860's. The policy of offering discriminatory indoor relief to groups of claimants deemed "immoral" in their habits had created a number of administrative difficulties. Greater numbers of children were now accumulating in mixed and badly segregated poorhouses. Boards had begun to be concerned about the possibility of the hereditary transmission of "pauper traits" and worried that extra institutional accommodation would cost them more capital outlay, had concluded that an extension of the fostering system satisfied the prevailing ideology of family socialisation and economy of expenditure. Objections on the basis of breaking the "naturalness" of family ties and the possibility of allowing parents to continue their

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because Poorhouse overcrowded with casual labourers; note also the confusion about the law by many witnesses to the Habitual Offenders Committee, including M. McNeill, the Board's Superintendent of Poor.

1. Prevention of Cruelty to Children (Amendment) Act. Ch. 27. (57 and 58 Vict. 1894); for a Court decision upholding the Act's intention that the Poor Rate could be used to defray the cost of a "non-pauper" child's care in the poorhouse, see PLM, 1898, p 443, "Stirling Parish Council v. Perth Parish Council".
2. Infant Life Protection Act. Ch. 57 (60 and 61 Vict. 1897)



"immoral" lives had been successfully overcome.<sup>(1)</sup>

Although the activities were originally orientated towards the dependents of indoor "paupers", the establishment of Prevention to Cruelty Societies led to a wider consideration of the value of the child for future generations. The problem Poor Law administrators faced now was that of children on the outdoor roll. If the aim now was to prevent "pauperisation", then their new policy could not be solely confined to poorhouse cases.

Although there were many parents on the outdoor roll who could not be appropriately offered the poorhouse, they were not visibly "profligate" or "immoral", they did not necessarily match the standards of family life now being set. In these cases, administrators were finding it difficult not to make judgements about the appropriateness of a particular home or of parental attitudes. Once drawn into this debate, there arose another problem, that of drawing a distinction between those on the roll and those who had children outside the roll. Many other poor parents whose homes were not thought to be satisfactory, avoided applying for relief by begging and by undertaking casual work. The critical question for administrators was to decide whether child welfare in general should become a preoccupation of the Poor Law<sup>(2)</sup>. If they decided it was, then a new problem emerged. The child cruelty legislation together with the extension of their established

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1. Motion, "Notes on the Scottish Poor Law ...". op.cit.
  2. *ibid.*, 1903, p 240, J. Patterson, "The Disposal of Neglected Children" and p 521, W. Pressley. "Children Separated from the Parents by the Authority of the Parish Council".

practice meant that many of the recently enfranchised working classes came under the gaze of a Poor Law inspector. Thus the positive intervention within previously "non-pauper" families, to regulate their conduct, to act as a moral arbiter, would require a new source of legitimation. Some decision on whether to base this welfare policy on established Poor Law practice, discriminatory treatment for "social offenders" or some new ethic which did not stigmatise and taint parent and child alike had become urgent.

Until the 1870's there is little evidence of any marked change in institutional medical care. Most boards continued to rely on the services of a local doctor to provide some part-time attention. The employment of trained sick nurses was non-existent. But the arrival of safer surgery, the growth of medical specialisation, the introduction of trained nurses and the expansion of the voluntary hospital all led to the public beginning to expect better medical attention<sup>(1)</sup>. Moreover the first phase of lunatic asylums was being completed and each had resident medical officers and paid nurses. They offered a much more liberal regime which included occupational therapy, the liberty of the "open door" and parole<sup>(2)</sup>. Thus there was a growing discrepancy, not only between statutory sectors, but between what a claimant received as medical care in a poorhouse and what he would have received in a voluntary institution.

1. For instance, Greenock Infirmary introduced trained nursing in 1871 and began training probationers in 1887. Glasgow Royal Infirmary did the same in 1875. A gynaecologist was appointed in 1879 and an ear, throat and nose specialist in 1886. Dundee Royal Infirmary established a convalescent home in 1877 and a children's ward in 1883; see also Appendix 3E
2. see Chapter 2, Tuke, op.cit., Chapter 9

This was soon noticed by the Board who in 1877 asked their Visiting Officer. M. McNeill to survey the nursing standards in English workhouses and Scottish voluntary hospitals. He not only confirmed that poorhouses lagged far behind the voluntary sector, but they also lagged behind the workhouses. He concluded his report by stating that,

"It does not appear to me that the sick and bedridden pauper has claims [which are] inferior, for the Infirmary patient is, in many instances in the receipt of charity, while the pauper is the recipient of a legal provision". (1)

In future, he argued, those in statutory care ought not to be in such an inferior position. It might be construed by the Courts that boards were not providing adequate maintenance. The Board backed his exhortations and in 1879 issued a Minute on the need to introduce trained sick nursing<sup>(2)</sup>. However, few boards adopted the suggestion. As the medical grant did not cover any expenditure incurred by their employment, boards would have had to meet the full cost. When the grant was increased in 1882, one of the Board's clerks suggested its extension to cover part of the expenditure incurred in employing these nurses. This was eagerly taken up and by 1890, fourteen boards had adopted the scheme. Four years later, all the larger urban poorhouses, covering three-quarters of the sick had trained nurses and by the early 1900's only twenty-two poorhouses, containing less than 10% of the sick, had no nurse<sup>(3)</sup>.

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1. The Annual Report of the Board of Supervision, 1877/8. C 2166 (PP 1878 Vol XXXVIII) p 13.
  2. The Annual Report of the Board of Supervision, 1878/9. C 2416 (PP 1878/9 Vol XXX) "Circular on Sick Nursing in Poorhouses", dated 31/7/78. It recommended one nurse for every twenty patients. This was the number McNeill found operating in Liverpool Workhouse. He also reported one to six at Glasgow Royal Infirmary.
  3. "History of Poor Law Medical Relief since 1845", op.cit., see also



Despite this change in policy the quality of poorhouse medical care continued to be inferior to that of the voluntary hospitals. Not only did the latter have better nursing levels, but they were now beginning to employ far more resident doctors and visiting specialists. They also had exhaustive and reputable training programmes for their own nurses. In an effort to maintain comparability and recruit enough nurses, Glasgow Barony, Glasgow City, Govan and Dundee all instigated their own training programmes. But, given the attractions of the infirmaries and the newly established outdoor Jubilee district nursing, they found few nurses willing to remain once they had been trained. The care of chronic patients who had come to dominate poorhouse sick wards together with the low level of medical treatment offered provided little inducement to the more ambitious nurse<sup>(1)</sup>. So bad did the situation develop in Edinburgh that the Parish was forced to reconsider its terms of service and agree to employ more nurses, improve their food, assure them they would not be used as ward orderlies and that they would all have a share of surgical cases<sup>(2)</sup>.

There was another aspect to poorhouse medical care. With the expansion of voluntary hospital facilities most poor who had acute illnesses went there for treatment. Thus poorhouses accumulated the chronic cases that the infirmaries did not want and in consequence they had little need to employ specialists,

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The Departmental Committee on the Nursing of the Sick Poor in Workhouses. Cd 1366 (PP 1902 Vol XXXIX) Appendix XXIV (1) "Memorandum as to the Nursing of Sick Poor in Scotland" and (2) "List of Poorhouses having trained Nurses ...".

1. ibid., Evidence of M. McNeill and R. B. Barclay, given on 4/2/02; Departmental Committee on Medical Relief. Evidence of Dr. J. M'c. Johnston (Medical Officer, Glasgow City Poorhouse) given on 1/10/02.
2. Edinburgh PCM, 9/5/99

build operating theatres or equip special laboratories. The development of medical practice for chronic illnesses was far less advanced. When there were operations or even births they were usually conducted in the open wards with little more than a screen to cater for delicate feelings<sup>(1)</sup>. In his evidence to the Departmental Committee on Medical Relief, the Visiting Officer at Edinburgh Craigleith Poorhouse provides a graphic illustration of poorhouse medical care at the turn of the century,

"I have amputated a leg above the knee. I have done a hernia. Perhaps if I had a case of a man developing cancer of the tongue, I would not like to take that myself, because I have never removed a tongue; but if we got an operating room and a recovery room then we would not send him to the Infirmary. The last amputation I had was about two and a half years ago. Such cases, however, seem to come in little bursts; there will be nothing for a year or two, and there will be two or three large operations. It is not a pleasant thing to give chloroform in an ordinary ward, nor is it pleasant for other patients to hear the noise and disturbance. In the case of a major operation I ask a friendly surgeon to come with me, and we arrange between us to do the work. He comes and brings all his instruments and everything complete".

Whatever the inadequacies of medical care within the poorhouse, the introduction of trained nursing did have one important effect. Inmate labour was usually withdrawn from attending the sick. Henceforth the sick came totally within the ambit of the medical profession and few lay administrators sought to influence the day to day running of the sick wards. Indeed by the turn of the century the influence was beginning to be in the other direction.

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1. Departmental Committee on Medical Relief. Evidence of R. S. Aitchison (Visiting Medical Officer, Edinburgh Craigleith Poorhouse) given on 15/1/03 and Dr. W. D. Core (Medical Officer, Glasgow Barnhill Poorhouse) given on 23/9/02

Doctors were petitioning their parishes for separate wards for those suffering from T.B., V.D., itch complaints and childhood illnesses and for greater administrative freedom within the whole poorhouse<sup>(1)</sup>.

This more active medical care did have wider implications. For many inmates there was a thin borderline between being sick and not. Children and infirm inmates often needed continuing attention and when they were under trained nurses in the sick wards, it seemed pointless to "cure" them, send them back to the ordinary wards under untrained or pauper care, only to be reclassified as sick because of the lack of proper medical attention. These administrative inconsistencies were further underlined when outside specialists, under the Brabazon scheme, offered their services in needle-work, basket weaving and in reading to improve the infirm's mental and physical well-being<sup>(2)</sup>. After considering the issue in 1895, Glasgow Barony sought the Board's approval to extend nursing to other groups<sup>(3)</sup>. The Board agreed that it was a desirable move and allowed part of the nurses' salary to be set against the medical grant. Barony promptly extended trained nursing to their mental observation, infirm and children's wards.

The increased awareness of the necessity to match medical care to

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1. Edinburgh PCM, 18/12/97. T.B. wards; Glasgow PCM, 17/9/97. T.B. wards; Glasgow Barony PCM, 23/9/96. Children's wards, see also the evidence of medical officers on pp
  2. *ibid.*, 9/10/95; PLM, 1897 p 554, 1901, p 44 and 46. (Reports from Edinburgh and Glasgow Poorhouses on sale of work done)
  3. Glasgow Barony PCM, 23/10/95



individual needs also led to a greater appreciation of diet. Since 1850 there had been no official alteration in the sanctioned diet. It was still based on oatmeal, milk and minor amounts of vegetables, meat and fish<sup>(1)</sup>. By the 1890's it bore little relation to the urban worker's diet of wheaten bread, tea and potatoes. Moreover, while its originators stressed the value of milk and meat, later regulations and interpretations reduced the meat content in soup and substituted buttermilk for sweet or skimmed milk<sup>(2)</sup>.

The monotony of it, together with its adverse effect on children's health, resulted in 1888, in minor modifications to children's diets<sup>(3)</sup>. The attempts at more rigorous classification also resulted in the systematic introduction of various privileges, like tea, for the infirm. However, many administrators, especially medical officers, remained unhappy about the food being offered to inmates. They complained that many lost weight after admission, developed weak bladders and became anaemic<sup>(4)</sup>. An investigation at Craigleith Poorhouse in 1896, probably the first of its kind, found that this was almost entirely due to faulty diet. Although oatmeal and milk were the basis of a good diet, the continued preparation of watery oatmeal and the use of buttermilk, a laxative led directly to the slow starvation of inmates. The survey recommended skimmed milk instead of buttermilk,

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1. The Annual Report of the Board of Supervision, 1847/8. "Report by Drs. W. P. Alison and R. C. Christison on the Diet for Charity Workhouses in Scotland"; for the derivation of this diet see, The Life of Sir R. C. Christison. (ed by his sons) (Edinburgh 1885) Vol II, p 185; the sanctioned diet can be found in The Annual Report of the Board of Supervision, 1850.
  2. The Annual Report of the Board of Supervision, 1870, p xi and "Circular on the Diet of Inmates in Poorhouses", dated 18/11/69
  3. The Annual Report of the Board of Supervision, 1888. C 5550 (PP 1888 Vol L) "Report by Drs. J. Bell and H. D. Littlejohn on Dietaries of Children in Poorhouses", dated 31/12/87
  4. R. S. Aitchison, Effects of Diets Upon Kidneys. (Edinburgh, 1896)

meat in soups and a "little suet pudding". It was quickly accepted by the Board and revised diet scales for poorhouses were suggested in 1898<sup>(1)</sup>. The Board, however, refused to make the adoption of the scales mandatory. It still felt there was a need to show a gap between an ordinary working family's diet and those on Poor Relief. However there had been an important alteration in thought. It was acknowledged that diets ought to be adequate enough to ensure an inmate's physiological recovery.

Like relief to the able-bodied and to children, the period before 1900 had seen a gradual change in philosophy and practice of poorhouse medical relief. Equity between the statutory and voluntary sectors and the growing numbers of chronic patients pressurised administrators into reassessing the function of the poorhouse. With improved medical attention and diets, it was no longer being viewed as a dumping ground for society's "moral" misfits. It was in the business of restoring people to full health. The question facing administrators was just how far that process should and could go.

The last two decades of the 19th century had seen the complete reform of national and local welfare administration. With the replacement of the Board of Supervision by the Local Government Board, welfare was no longer conceived in purely legal-bureaucratic

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1. The Annual Report of the Local Government Board, 1898. C 9273 (PP 1899 Vol XXXVIII) "Circular as to Dietaries in Poorhouses", dated 2/2/98

terms, it was a political issue. But these reforms had come at a time when there was renewed interest and some controversy over the direction of policy. The prevailing philosophy of adequate but discriminatory relief had been born in a period when there was a desire to reduce dependence on statutory support. It was a policy that had worked well in the 1870's and early 1880's. However in the larger urban areas, "pauperism" began to show little tendency to decline, indeed the factors that contemporaries believed contributed to it, chronic under-employment, bad parenthood and disease seemed equally or more prevalent. Thus administrators became concerned that their existing policies were yielding smaller and smaller returns. When the numbers and costs of "pauperism" actually began to increase after 1892 their concern was intensified<sup>(1)</sup>. Initially they sought to examine practical alternatives. Detention for the casual unemployed, greater moral classification within the poorhouse, stricter control of the outdoor roll were all attempted. But their whole strategy for reform reflected established philosophy, discriminatory and punitive treatment for those that had not made an effort to provide self-support. The able-bodied unemployed by definition came under the category of those that were assumed to be able to maintain themselves<sup>(2)</sup>. Those that did not ought to be treated as if they had broken the "law". Unfortunately this line of thinking implied the greater regulation of individuals at a time when

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1. see appendix 2D and E

2. see Jack v. Thom, 1860, 23 D 173 where the Court assumed an able-bodied person could get work if they were able to work.



Government intervention of any kind, far less explicit control of labourers, was regarded with suspicion. Poor Law administrators had thus not developed a formula that overcame the contradiction between the logic of their established philosophy and the wider assumptions about the basis of statutory assistance.

The somewhat accidental foray into separating children from "bad" parents demonstrated that action could be taken. Although the public seemed willing to see these children taken into care, there was a cost. The children themselves should not suffer discriminatory treatment and the unworthy parent, unless bodily harm had been committed, should not be ruthlessly pursued as a criminal. The Poor Law ought to accept the condition without demanding punitive powers. Some people simply could not cope with the pace and demands of urban living. The lesson was obvious, it was necessary to temper any new practice by a deeper understanding of the tolerable limits to administrative action.

However, there was another aspect to this lesson. More effort was required to discover and explain the "facts" of social disorganisation. In a more democratic era, at least for the property owner of moderate means, public bodies needed to continually assure their electorate that they were able to maintain the fabric of society. If, because of the lack of their powers, they were finding this difficult, then they needed to inform the public of the true circumstances of their problems. Thus the larger parochial boards, the various Government commissions and committees all began to elaborate their statistical analysis of social problems. In 1892, Barony produced one of the first two-way

parochial analyses of the causes of application for poor relief<sup>(1)</sup>. This methodological penetration into social causation had however a hidden danger. If tables were produced relating drink to age and employment status, then others could suggest it was not so much a problem of individual moral reform, but of the debilitating conditions of the labour market. Like the Alisons of the 1840's they could argue that the anomic conditions of urban living, where those at the bottom had few rights, created apathy and social estrangement. Thus in an effort to explain why the Poor Law was having problems maintaining its policy of reducing "pauperism", administrators found they had opened the floodgates to wider interpretations of social malaise and the functions of social policy<sup>(2)</sup>.

None of the policy areas discussed here become issues through overt street disorder. Little is heard of the unemployed, of working class or sympathetic middle-class councillors demanding ameliorative relief policies. Children, beaten up by their parents did not march on poorhouses demanding to be taken into "safety". The chronically ill did not refuse to perform work tasks unless medical attention was improved. What changes had occurred happened for two distinct reasons. Firstly, the nature of urban society had altered. Town life produced more people likely to require poor relief. Secondly, those in control of

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1. Glasgow Barony PBM, 18/4/92. "Classified Return of Application for Year ended 14th May 1891" and "Abstract of Total Adult Poor Chargeable to the Barony Parish at 14th May 1891"; their Poorhouse Governor went further and concluded his male inmates were single, middle-aged, homeless and alcoholic, see PLM, 1897, p. 458, A. Henderson, "Barony Poorhouse Statistics".
  2. ibid., 1903, p 414, (na) "Some Recent Developments in Poor Law Administration".

parochial administration continued to elaborate the established philosophy of adequate, but discriminatory relief. The evolution of their thought unwittingly entailed the need for greater expenditure, more legislative powers and new welfare practices. As the Glasgow Inspector wryly commented to the Poor Law Commission, the result seemed to be to increase "pauperism", not reduce it.

By 1900, the Poor Law was at a crossroads. The fear of a breakdown in public and social order and the changes in urban life had resulted in an increase of the numbers assisted. Extra expenditure on poorhouse medical relief, on separated children and on the casual "disabled" labourer meant that traditional philosophy was severely tested. The agenda for a much wider discussion and reassessment of the nature of welfare in a popularly-based industrial society had been set.



CHAPTER FOURADMINISTRATIVE RADICALISM AND THE PROMOTION OF NEED; THE NATIONAL  
DEBATE, 1900-14

The decade after 1890 had witnessed growing doubts by many welfare administrators about the validity of the Poor Law's established strategies to continue to combat poverty and "pauperism". The re-examination of policy has pushed the philosophy of moral individualism to its apparent limit without effecting any dramatic decline in the numbers that sought relief. In fact the numbers seeking relief increased. The grasping, the groping and the elaboration of this particular problem had begun the genesis of a new perspective. The first tentative experiments or thoughts in linking individual care to social welfare has been made, and with that there had evolved an awareness that more needed to be known about the social and personal circumstances of those who sought assistance. Without a thorough examination of these circumstances it would be impossible both to understand all the complexities of poverty and distress and to persuade the more apathetic or sceptical popular electorate that something had to be done. However the generation of knowledge was not a monopoly that belonged to a few erudite Poor Law administrators and the growing sophistication of this "social" knowledge, seen in the evidence by charity organisers, the medical profession and academics to the various committees and commissions after 1890 began to shatter the legitimacy of many traditional policies and practices. Moreover, no longer were these studies one-off affairs or afterthoughts of an already approved scheme, instead they had become much more integrated, with each one refining the instruments of social inquiry

and setting the need for further exhaustive studies.

In the wake of this knowledge, there grew up a belief that capitalistic growth was not necessarily conducive to individual self-fulfilment.

The by-product of this growth, seen in the more mature industrial economy of Scotland was urban overcrowding, labour market congestion, public ill health and the self-generation of poverty.

The talents and advantages that a free labour market economy assumed an individual would be able to develop in competition with others did not seem possible for the vast majority of urban poor<sup>(1)</sup>.

On the contrary, individuals seemed oppressed by the sheer size of the industrial mammon. The question that began to dominate administrators' thoughts after 1900 was how these new and apparently overwhelming problems could be effectively combatted. With only a nascent Labour Party and even fewer revolutionaries, the general virtue of capitalism and economic progress still dominated intellectual thought. The critical task, therefore was to remould social policy in a manner that would harmonise the individual with the on-going economic changes. In order to begin that remoulding, some discussion would be necessary and the period witnessed one of the most intense debates since the 1840's about the appropriate methods of achieving this goal.

There were three important issues in this debate. The first concerned the relationship of the individual to statutory social

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1. see for instance, M. Freedman, The New Liberalism: An Ideology of Social Reform. (Oxford, 1978), especially Chapter 2; C.B. MacPherson, Democratic Theory, (Oxford, 1973) Chapters 1, 3; M. Bruce, The Rise of the Welfare State, (London, 1973) Chapter 6; M. E. Rose, The Relief of Poverty, (London, 1972) pp 17-20; A. Fried and R. Elman, Charles Booth's London, (London, 1971) Introduction; J. R. Hay, The Origins of the Liberal Welfare Reforms, 1906-1914 (London, 1975); G. S. Searle, The Quest for National Efficiency, (Oxford, 1971)

welfare; the second concerned the view of individual development within the operation of welfare; and the third concerned the role of central and local government in pursuit and operation of welfare policy. The more traditional principles stressed that if a man was a "free moral agent" any statutory assistance received was an admission of the failure to provide self-support<sup>(1)</sup>. The operation of public institutions would reduce individual initiative, retard the proper development of his talents and lead to the inefficient allocation of resources. Any individual, with the full knowledge that public institutions would not arbitrarily intervene in his day to day existence could allocate resources for themselves in a much more efficient and rational manner. By implication, the role of both central and local government should be small and contain only residual powers to prevent an absolute breakdown in public order. Local government because it was nearer the actual operation of welfare was better placed than central government to allocate whatever resources there were available and decide what kind of policy welfare should have. In that way the philosophical ethos of the system would be maintained.

By contrast the new knowledge being elaborated through the inquiries of the 1890's and early 1900's was beginning to stress a radically different perspective. Firstly it argued that the pecuniary nature of parish administration had sustained too restrictive a view of

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1. R. Pound, The Philosophy of Law, (New Haven, 1924) Chapter 2



welfare. A leading advocate of this new philosophy, Dr Leslie MacKenzie specifically criticised Poor Law administrators for their continued attachment to a philosophy of discrimination and public stigma. He claimed that,

"Superficially, the Poor Law appears to have been instituted just to provide for those that could not provide for themselves; yet in the course of its evolution, it has come to be shunned rather than sought by many of those that have an unquestionable claim to its powers". (1)

To him, the Poor Law had ceased to be an efficient welfare institution capable of adapting itself to meeting the acknowledged needs of the poor. With this critique came the perspective's second argument, that the individual was a social being whose abilities and desires needed the active encouragement of public institutions. Only in this way could the broad mass of individuals see their talents, abilities and needs not being suppressed by the pernicious effects of capitalism. Thus MacKenzie argued that he

"did not believe everything done by public authorities necessarily takes something away from that person". (2)

In fact it was the very opposite,

"What one needs to create in him is the feeling that that is the instrument for doing the work ... to realise [him] self more fully". (3)

Social welfare could and would enable the individual to overcome the structural and environmental problems of a more advanced industrial economy,

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1. W. L. MacKenzie, The Carnegie Trust Report on Physical Welfare (Scotland), (Dunfermline, 1917) p 115
  2. RCPL(SE). Evidence given on 28/5/07 and 12/6/07
  3. ibid.

In essence, this new philosophy, although reflecting the Alisonian desire to ensure the working classes did benefit from "positively" created institutions, was stressing a very different role for government agencies. To ensure the working classes sense of participation in and belonging to industrial society, government, especially national government ought to be prepared to cast them a new deal. That deal involved far greater centralised support and much more direction in the evolution and control of local policy. By elaborating certain national criteria of welfare far more explicitly than in the past inequality could be reduced and a new sense of fairness amongst the less fortunate generated. If this happened then the newly enfranchised working classes, many of whom had clearly not shared in the general benefits of capitalism would see that through economic progress, social and individual betterment did occur. That in turn would strengthen the legitimacy of the capitalist mode of production.

The remainder of this Chapter will be devoted to a closer examination of three more national debates about this new philosophy and three particular events that greatly altered the relationship of the Poor Law to the evolution of welfare. These were, the creation in 1901 of a medical inspectorate for the Board; the appointment in 1905 of a radical Scottish Secretary; the establishment in 1905 of the Poor Law Royal Commission; and the three debates, about the feeding of necessitous school children; about extending the legal constraint of the mentally and physically unsound; and about the relief of distress. A closer narration of the process of change and the impact of new philosophies within local administration will occur in the next Chapter.

The first of these three significant events, the appointment of Dr Leslie MacKenzie as full-time Medical Inspector for the Board at the beginning of 1901 marked a change in the role of central government officers. The need for this post had been generally expressed since the passing of the 1898 Public Health Act<sup>(1)</sup>.

However Lord Salisbury's Conservative Government was not one that embarked very readily on any kind of social experiment and with a Scottish Secretary, Lord Balfour equally entrenched, all attempts to discuss the adequacy of the Board were firmly suppressed. When a Liberal M.P. suggested the appointment of medical inspectors after the general superintendents of poor had encountered problems evaluating the state of public health in Lewis he was told by the Lord Advocate,

"that inspectors should be appointed is not a suggestion that would be read with favour. The Board have to perform other duties besides medical distress". (2)

Yet the pressure remained and when the Board itself claimed its own resources were more than fully stretched, Balfour was forced to relent and Dr MacKenzie's post was created<sup>(3)</sup>. However to avoid creating a post parallel and therefore in conflict with the general superintendents of poor, MacKenzie was not to undertake any "general inspection duties". MacKenzie, a fully qualified local government health official had therefore to devote less time

1. A. C. Munro, op.cit

2. Hansard, Vol 85, 6/7/00, p 883; for a note on Balfour's conservative character see, Lady Balfour, Lord Balfour of Burleigh, (London, 1924); a discussion of general Scottish Office staffing difficulties during this period can be found in the evidence of Dodds, op.cit

3. Royal Commission on Physical Training (Scotland). Cmd 1507 (PP 1903 Vol XXX). Evidence of Dr MacKenzie given on 5/6/02



to day to day administration and more to investigative work. If Balfour had intended that the role was to be a subordinate one, and one that would be fully contained by other officials, then he had not taken into account the propaganda element in any investigative work. MacKenzie, a one-time Liberal Parliamentary candidate was not slow to demonstrate his credentials as a leader of the Public Health Movement.

An early hint of his attitude occurred with the establishment in March 1902 of the Royal Commission on Physical Training. At the end of 1898, after some criticisms from the Army about the comparatively poor physique of Scottish boys, the Education Department initiated a series of discussions on physical training between themselves, the School Boards and the Army<sup>(1)</sup>. It soon became obvious that there were many inter-related issues of physical fitness, imperial power and compulsory training and the Department pressed Balfour to establish an Inquiry. Balfour equally alarmed at the prospect of a failure in military enlistments agreed and informed his Cabinet colleagues that,

"It is certain that the modern conditions of town life discourage many of the poorest children from any proper exercise". (2)

With Scotland's high emigration rate, which drew away "the brightest and the fittest", the failure of many schools to provide physical

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1. SRO ED 7/1/11. Letter dated 23/12/98 to the Master of the Merchant Company Schools from General Chapman, Commander of the Scottish District. Quoted in the Scotsman, 5/1/99
2. ibid., ED 7/1/23. The Committee's Chairman was the Earl of Mansfield.

training had grave consequences for the maintenance of imperial power,

However moral outrage at the likelihood of imperial decline was not, as both Balfour and the Commission knew, going to be sufficient to persuade administrators or the electorate that something ought to be done. So MacKenzie, along with Professor Hay of Aberdeen University were appointed special investigators to undertake a survey of the health and physical well-being of school children in Edinburgh and Aberdeen<sup>(1)</sup>. Using and refining new measurement instruments both surveys revealed how inferior the position of slum children was. But MacKenzie went further than merely supplying information. He concluded his investigation by stating that physical education by itself would be futile unless accompanied by better housing and diets.

The implications of the surveys' results were not lost on the Commission. Although composed mainly of Conservatives, it recommended that school boards provide facilities for voluntary agencies to feed school children. If there were no local agencies that could undertake these duties, school boards themselves were to provide this service. Where this occurred parents were to be charged the full cost and those that could not pay were to be deemed "paupers"<sup>(2)</sup>. To one medical reviewer,

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1. "Report on the Physical Examination of 600 Edinburgh School Children" contained within the Report, op.cit. The survey was conducted in November 1902
  2. see recommendation number 7

the agenda had been set for a much closer examination of the issues of physical fitness and the role of the State in providing assistance to those in need<sup>(1)</sup>.

With this alteration in perspective, MacKenzie was soon in action urging the adoption of a new philosophy of intervention and the necessity for school boards to medically inspect children. In a series of publications he dismissed out of hand the Spencerian social theory which had underpinned the Commission's unwillingness to recommend greater powers of statutory intervention<sup>(2)</sup>. To him it was ill-conceived and far too theoretical for the practical work of a medical officer of health. Once the State provided free and compulsory education, teachers, parents and medical officers had to know if children were unhealthy for schooling. Without this knowledge, the system would be wasting its time educating the uneducatable. Further, MacKenzie believed that parental responsibilities had to be balanced against the State's obligation to prepare a child for the world. Only then could it demand economically useful citizens. This more functional view of the relationship between social welfare, the State and the citizen was certainly not one that went unchallenged, but his later studies, one done for the Edinburgh Charity Organisation Society on the health of school children and another more exhaustive one for Glasgow's School Board on the relationship between physical development and housing conditions continued to

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1. W. B. Douglas, "Report of the Royal Commission on Physical Training", Scottish Medical and Surgical Journal, (1903), Vol 13, p 83
  2. W. L. MacKenzie, The Medical Inspection of Schoolchildren, (Edinburgh, 1904); The Health of the Schoolchild, (London, 1906); The Child at School, (London, 1926)



underline his call for a re-examination of policy<sup>(1)</sup>.

This alteration in a public official's role did not go unnoticed by the Board's Poor Law Branch. Before 1904, general superintendents of poor had visited every parish once a year, checking for financial irregularities and informing officials about established policy. With the new audit procedures now fully implemented and MacKenzie showing the utility of investigative work, the Board agreed that a change in duties was now necessary<sup>(2)</sup>. Superintendents were instructed to conduct more specialised investigations into the nature of local distress and to offer parishes practical advice on improving their methods of administration. Although parishes only saw a Board official every other year, this new procedure coupled with <sup>the</sup> audit meant a far closer control by the Board on policy and practice. The Board now insisted that they could have as much knowledge of local circumstances as a parish.

This qualitative change in the role of central government officials had heralded an important shift in the way that welfare in a more advanced capitalist society was implemented and "policed". The need to maintain imperial greatness and the competitive advantages of British labour implied that central government assume a more directive role in promoting material wealth. However in 1905 this change, although acknowledged as necessary had not been fully elaborated. Central questions still remained to be answered;

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1. Report on the Physical Condition of 1400 Schoolchildren ... Edinburgh. Edinburgh Charity Organisation Society, (Edinburgh 1906); The Physical Condition of Children Attending ... Schools ... for Glasgow. Cmd 3637 (PP 1907 Vol LXV) (with Capt. A. Foster)
  2. RCPL(SE). Evidence of W. Penney (General Superintendent of Poor) given on 13/5/07 and Dr. MacKenzie

how far could government "search out" and "correct" the cause of distress; how far could it demand an alteration in an individual's behaviour and how far could the Board override local responsibility.

The next event, the appointment of John Sinclair as the Liberal Scottish Secretary in December 1905 ensured that these questions would be thoroughly examined by a radical administration.

Sinclair's appointment brought a new tone to the politics of welfare. Although the majority of Liberal M.P.s had not given social policy any great consideration in the years before 1906, Sinclair not only had indicated what changes he would prefer, but had himself considerable experience in the field of welfare<sup>(1)</sup>. In the 1880's he had been involved in the activities of Tonybee Hall, campaigning against sweated labour and in favour of adult education. By the 1890's he was espousing the causes of home rule, local government reform, employers liability and land reform. His election as M.P. for Forfarshire in 1897 brought him into contact with Dundee's housing conditions and he was soon involved in a housing commission which sought to relieve urban overcrowding by recommending "garden cities". Although most of his energies between 1905 and 1912 went into agricultural, land

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1. Lady Pentland, Memoir of Lord Pentland, (London, 1928) gives a good account of Sinclair's early career; a general statement of liberal policy on social matters can be found in H. V. Emrys, Liberals, Radicals and Social Politics (1892-1914), (Cambridge, 1973); The Scotsman's reports from the hustings indicate that only G. MacCrae (East Edinburgh, 8/12/05) explicitly mentioned the complete reform of the Poor Law was necessary. Others like J. Dewar (West Aberdeenshire, 9/1/06) mentioned the weakness of charity and the necessity for more statutory aid

and housing reform, his immediate task on accepting office was in educational reform and the amending of the Conservatives' Unemployed Workman's Act<sup>(1)</sup>.

Because of Labour pressure, the Liberals in their election manifesto had already committed themselves to extending assistance to the unemployed. However the commitment had been grudgingly made. Sinclair, like the majority of Liberals felt the distress of the preceeding few years was the exception rather than the rule. He saw no need to make drastic incursion into the free play of the labour market. Any new administrative machinery would be unnecessary, expensive and time consuming. Thus the Conservative Act underwent minor amendment and Sinclair left it to the Board to pursue more liberal policies in its administration. In that way Sinclair felt more immediate assistance would be given to those in need.

Educational reform was different. Unlike unemployment relief, he felt that the medical and social need of school children overrode any consideration of economic utility. His first Education Bill allowed school boards to make special provision for the education of mentally defective school children. Previously they had been dealt with by parishes and lunacy boards. This was followed by a series of Bills designed to permit the medical inspection and feeding of children from public funds.

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1. J. Brown, "Scottish and English Land Legislation, 1905-11", The Scottish Historical Review (1968) Vol XLVII



Sinclair's administration, therefore, was dominated by a belief in a free, but socially conscious economy. To implement this belief, Sinclair needed an acquiescent, but competent administration. What he inherited in 1905 was an administration deficient in many areas of expertise and in the throes of re-examining its own powers, duties and attitudes towards social welfare. All of this reflected the Board's ambivalent attitude towards expanding social welfare and the Government's use of patronage in filling vacant posts.

When John Skelton retired from the Board in 1897, the Conservatives had appointed its Secretary, Malcolm MacNeill as the new Chairman. It would have been more customary to have appointed the Board's Legal Member, J. Patten-McDougall, but not only was MacNeill an ex-Superintendent of Poor, thus re-emphasising the importance of the Poor Law in the Board's affairs, but Patten-McDougall was a Liberal<sup>(1)</sup>. However at the end of 1904, J. B. Russell, the Medical Member died and a few weeks later MacNeill retired. The Conservatives were in a predicament. The only possible replacement for Russell was MacKenzie who had an already established Liberal credential. The Chairmanship was another matter. Patten-McDougall had now served ten years and no-one else had either his seniority or experience of administration. The Conservatives hesitated to bring in an outsider, and swallowing their political inclinations made the appointment. To offset these two appointments, E. B.

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1. Scotsman. 5/5/09. Patten-McDougall had been Legal Secretary to the Lord Advocate in 1886 and 1892-4. He was responsible for the drafting of the 1894 Local Government Act, see also Appendix 3B

MacPherson, the Legal Adviser to the Lord Advocate, and hence a Conservative, was appointed the Board's Legal Member. It meant no-one on the Board had any direct experience of Poor Law and when in 1909, the Secretary, J. Falconer-Stewart, an ex-Superintendent of Poor, retired, and A. Murray, a staff clerk from the Public Health Branch was appointed in his place, all the senior posts were held by non-Poor Law men.

The Conservatives, therefore, though not unused to patronage, had always been careful not to introduce too much political bias in the Departments under their control<sup>(1)</sup>. To them it was important to keep some semblance of civil service political neutrality. Sinclair had no such qualms. Patten-McDougall resigned his post in early 1909 (he became Registrar-General for Scotland). It was an opportunity not to be missed and Sinclair, with the willing approval of Asquith, appointed Sir George MacCrae, the Liberal M.P. for East Edinburgh to fill the post. MacCrae had no direct experience of the political administration of welfare, but he was known as having "advanced" Liberal views. A hatter by trade and a one-time Treasurer of Edinburgh City Council, he had successfully fought the 1899 East Edinburgh Bye-election on such issues as the housing of the working classes, old age pensions and the amelioration of social conditions.<sup>(2)</sup> This sensational appointment was repeated the following year when

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1. Hanham, op.cit

2. Scotsman. 5/5/09 and reports from the hustings, 13/6/99, 16/6/99, 17/6/99 and 24/6/99; details of the backgrounds of senior officials can be found in the Civil Service Appointments Return (PP 1912-13 Vol LVI)

Sir Thomas Mason, another Liberal was made Chairman of the Board of Lunacy, and in 1911, when James Leishman, and Edinburgh Liberal Councillor was made Chairman of the newly created Scottish National Health Insurance Commission and again in 1913, when the Liberal M.P. for Invernesshire, Sir J. A. Dewar was made the chairman of the Highlands and Islands Medical Services Board.

Putting radicals in key positions was only one half of the transformation that occurred in the political administration of Scottish welfare. The most common complaint by administrators of the period was simply that they were overworked and understaffed for the tasks they were supposed to undertake<sup>(1)</sup>. In this they had some justification. If allowances are made for comparable functions and population differences then the costs and staffing of welfare administration in Scotland were less than 75% of those in England<sup>(2)</sup>. Moreover the Board repeatedly claimed that they were restricted to class II civil servants. The ideological rationale for this arrangement, the desire to reduce the role of central government in internal affairs has been explained in Chapter Two, but by 1909, both the new welfare policies and the changing role of many of its officials had in the Board's view made the demand for more and better qualified staff unquestionable.

Between 1910 and 1913, following the 1908 Children's Act, the 1909 Town and Country Planning Act and the Poor Law Commission's

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1. Dodds, op.cit.; MacKenzie, op.cit.; Some Liberal M.P.s had also raised the matter in Parliament. Hansard, Vol 175, 30/5/07, pp 157 and 163
  2. see Appendix 3A



recommendation on the need for extra staff, the Board acquired the services of an additional two assistant secretaries, two extra medical inspectors, a veterinary inspector, an engineering inspector, an architectural inspector and a Lady inspector. There were also increases in the clerical ranks. These were sizeable increases, bringing staffing in Scotland to 90% of the English level.

One of the last acts in Sinclair's administration was a step that surpassed even the enlargement of the Board. Throughout the summer of 1911, M.P.s had been debating the National Health Insurance Bill<sup>(1)</sup>. By the autumn the final clauses on the administration of the scheme was passing through the Committee stage. The original Bill had stipulated one Commission for the U.K. to run the scheme, but with home rule in the air, the prospect of welfare administration in Scotland being conducted from south of the border was not at all pleasing to back-bench Liberal sentiment. At a private meeting with Lloyd George, the Chancellor of the Exchequer, about thirty Liberals argued that there should be a separate Scottish Commission<sup>(2)</sup>. Scotland, they suggested had special employment problems, like the crofters and only a Commission "near the seat of action" could hope to be effective. The Government appeared to have no strong feelings on the issue and by 171 votes to 89, with Labour and Conservative M.P.s providing most of the

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1. B. B. Gilbert, The Evolution of National Insurance in Great Britain, (London, 1966)

2. Hansard, Vol 27, 13/11/11, p 52. Scottish newspapers, taken unawares published details two days after the meeting

opposition, a separate Scottish Commission, answerable to the Scottish Secretary was created.

At a stroke, Scottish welfare administrators nearly quadrupled. Health insurance demanded a considerable bureaucracy; medical officers, regional inspectors and intelligence officers had to be appointed. However the Parliamentary demands that Scotland had special employment needs had another result. The Commission was allowed to recruit comparatively more staff than its English counterpart. If this new complement of staff is added to that of the Board's, then the number of Scottish central government welfare administrators was now equivalent to England's. There was one final twist to all of these developments. The new Commission demanded a high calibre of staff and when it was amalgamated in 1919 with the Board to make way for the Board of Health, many of its officials found themselves being appointed to more senior positions than those in the old Board. It meant even fewer Poor Law officials in position of authority<sup>(1)</sup>.

By 1912, the face of Scottish welfare administration had completely altered. With no-one in a senior position having detailed knowledge about the Poor Law, the predominance of traditional philosophy and practice had been superseded by one acknowledging the necessity for greater and more ameliorative intervention. The language these new administrators used was radically different from that most

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1. SRO HH 1/471. "Board of Health Staff"

in the Poor Law had known. They no longer believed in a central administration using friendly advice and persuasion. Welfare was not the sole prerogative of local politicians and officials; it was a national issue demanding central government action.

No discussion of welfare in the years before 1914 could leave out the Royal Commission on the Poor Law. This Commission, the third significant event, was established at the end of 1905 and reported in early 1909. Some have alleged that by re-establishing the authority of traditional Poor Law principles, its overall aim was to dish prospective Liberal welfare reforms<sup>(1)</sup>. If this was the case, then it singularly failed to prevent the introduction of old age pensions and insurance schemes<sup>(2)</sup>. Indeed many have criticised what was the longest and largest commission that had ever sat because it seemed so divorced from contemporary welfare politics. However to dismiss the Commission's recommendations so readily is perhaps an injustice to many of the problems it faced. By 1908, the Commissioners knew both that the Liberals were going to implement reforms and that the changes would at best have only a marginal effect for many that relied on the Poor Law. They therefore had to devise a package that would satisfy the needs of those unlikely to be covered by the new legislation. In retrospect the Commission's most important finding lay not in the policies it suggested, but in the discovery

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1. J. Brown, "The Appointment of the 1905 Poor Law Commission", Bulletin of the Institute of Historical Research, (1969), Vol 42, p 167 ; see also B. Webb, Our Partnership, (London, 1948) p 317 and Rose, op.cit., pp 34-52
2. see Gilbert, op.cit



that only with alterations in the administrative structure could new policies be effective. In particular they emphasised the need for a reform of local government and a re-orientation of central government's supervisory powers.

The debate which led to their recommendations will be dealt with later, but in Scotland the desire for a Commission stemmed from two particular difficulties. The first concerned the changing profile of Poor Law claimants. One of the first acts of the Commission in 1906 was to investigate the nature of Scottish "pauperism"<sup>(1)</sup>. They found that the traditional profile of recipients on the outdoor roll had altered very little. Widows, their dependents and the elderly continued to form the bulk of those assisted. The same, however, could not be said of indoor recipients. Not only were there more of those as a group, but poorhouses were rapidly filling up with more sick and more "disabled" casual labourers. The greatest increase came from men aged between fifty-five and sixty-five. Their survey also noted the increasing number of children separated from their parents. What greatly alarmed the Commission was that these more dramatic changes were most noticeable in the larger, urban areas. "Pauperism" in rural Scotland was actually declining. The primary characteristic of this new "pauperism", the Commission discovered, was its diversity and it did not doubt the inappropriateness of traditional Poor Law principles to deal with

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1. RCPL(SE). "Memorandum on the Census of Paupers (Scotland) 31st March 1906"; see also Appendices 2E and 4A

this more heterogeneous "clientele".

The second difficulty was equally injurious to established principles; there was a growing number of new statutory welfare agencies whose philosophy was potentially contradictory to that of the Poor Law. Public Health authorities, with their interest in the more ecological causes of disease were directing the blame for social ills, not at the door of an individual's moral failing, but at the mechanics of the social and economic system. The new statutory duties associated with the prevention of child cruelty, introduced more directly into Poor Law administration, had similarly disorientated perspectives. Administrators found their duties went beyond a philosophy of discriminatory relief; they now had to ponder on whether to actively seek out those suffering from such acts of cruelty.

During the early 1900's, the Board slowly began to realise that the growing divergences of philosophy meant that some new coherence and sensibility was required if the Poor Law structure was to retain the electorate's confidence. The legitimacy of the institution was under threat. In this they had to face two immediate sources of pressure; the first concerned the poorhouse use of medical services and the second concerned the growing numbers of claimants applying for and receiving relief.

When the 1889 Local Government Act had inadvertently resulted in the stereotyping of the distributional basis of the medical grant, the allowance for trained sick nursing had become a fixed charge on the grant. With all the large poorhouses having these nurses by 1900 it not only meant they received the largest slice of the

grant, but the Board had little extra cash to stimulate any other new area of medical care. Thus, by 1900, at a time when voluntary hospitals were rapidly expanding, its power to enforce development within the statutory sector was diminishing.

During 1902 two Bills were introduced by the Board to allow it to vary the basis of the grant's distribution<sup>(1)</sup>. However some local administrators objected to the lack of consultation over their clauses and they were withdrawn. As a result, in an attempt to placate local opinion, the Board appointed a Departmental Committee on Poor Law Medical Services<sup>(2)</sup>. Its purpose was to review the basis of the grant and recommend whatever improvements in the quality and administration of medical services it thought necessary.

After hearing evidence from about two dozen witnesses and reviewing the history and administration of medical relief, the Committee reported in March 1904. Its recommendations included the need for more "observation" wards for the suspected mentally ill; more operating theatres in the larger poorhouses; more and better beds for the sick, and their segregation into general medical categories; a more varied diet; the end of all "pauper" nursing; a more regular system of trained nursing; the promotion of the medical officer's authority within the poorhouse; an increase in the medical grant; and an increase in the Board's regulatory powers<sup>(3)</sup>. Despite

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1. The Local Government (Scotland) Amendment Bill. First Reading, 4/2/02. The Local Government (Scotland) Amendment (No. 2) Bill, 1902. First Reading, 21/2/02
  2. The Committee was appointed in July 1902 with J. Patten-MacDougall as its Chairman and Dr MacKenzie and R. B. Barclay, a General Superintendent of Poor who specialised in poorhouse affairs
  3. The Departmental Committee, op.cit.; for the subsequent history of the training of poorhouse nursing see, SRO HH 2/15 and 2/16 "Examination of Nurses-Origins and History". A National scheme was introduced in 1907



the Committee's origins, the Report's reception was favourable.

A Poor Law Magazine commentator, while concluding that the overall aim of the recommendations was to increase the Board's powers of intervention, felt that they stemmed from the "natural growth of administration"<sup>(1)</sup>. It was the only sure way to obtain the equitable improvement in the quality of Poor Law medical care. Medical reviews were also favourable<sup>(2)</sup>. They welcomed the prospect of an enhanced status for medical officers. Indeed there is no evidence of any parish raising any objections to the Report's recommendation. An important threshold in the Board's control of policy had been crossed; their use of regulatory powers was seen as an essential part in the promotion of welfare.

The Committee's Parliamentary reception was equally uneventful.

Some Liberal M.P.s inquired about possible action on the Report, but were told the Government preferred to act through administrative procedures<sup>(3)</sup>. A year later, the Government had had time to reflect and announced that a Bill embodying certain aspects of its recommendations was being prepared<sup>(4)</sup>. Three months later the Poor Law Commission was established and all prospective legislation was shelved until it reported.

One reason why the Government had stalled on introducing legislation

1. PLM, 1904, p 293
2. (na), "Poor Law Medical Relief", Scottish Medical and Surgical Journal (1904) Vol 15, p 47; British Medical Journal, 1904, p 1029 (Leader).
3. Hansard, Vol 135, 6/1/04, pp 783, 800, 920. Questions from R. C. Munro-Ferguson (Leith), H. J. Tenant (Berwickshire) and R. B. Haldane (Haddingtonshire); the Board had also called for early legislation, see SRO. HH 56/19
4. Hansard, Vol 145, 8/5/05, p 1108. Question from Munro-Ferguson, The Poor Law (Scotland) Bill. First Reading 7/6/05 and Re-read 1/8/05

had been the sudden impact of the 1902-5 trade depression on the numbers of applying for relief. Many unemployed casual labourers pleading destitution and disablement applied for and received relief. Some administrators reported that others though equally affected could not personally bring themselves to apply but instead forced those they had supported, their parents, brothers and sisters to do so. By the summer of 1904, the Board had become so alarmed at the increase in numbers applying for relief that it began its own internal survey of the distress. Others had also noticed and in Parliament an M.P. asked the Government to establish an Inquiry into its causes<sup>(1)</sup>. In December that year, the request was granted and an Inter-Departmental Committee composed of the Board's officials was established<sup>(2)</sup>. Its aim was to examine the relationship between the administration of relief in the areas known to be worst affected, the large towns and the growth of "pauperism".

Unfortunately for the Committee there was no obvious correlation between those parishes which it considered had the most defective administrative procedures and those that had the greatest increase in "pauperism". Although Govan, Glasgow and Leith had the most marked increase in numbers assisted, there was nothing to suggest

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1. *ibid.*, Vol 137, 13/7/03, p 1461. Question from A. Cross (Liberal Unionist, Camlachie)
  2. They were, the four General Superintendents of Poor and a clerk, J. Jeffrey

their methods were any more lax or procedurally erratic than the other parishes selected. Undaunted, the Committee proceeded to announce their results. They had discovered that applicants, including the able-bodied, underwent the most perfunctory of medical examinations; that few decisions by medical officers and officials were double-checked; that uniformity of policy was virtually precluded if relief committees themselves were not subject to scrutiny; that home investigations were often "a mere passing call at the pauper's abode"; that the able-bodied often received relief through parishes not contesting Sheriff's Appeals; that canvassing by recipients was rife; that appeals procedures were erratic; that poorhouse procedures to check malingerers were feeble; that a systematic labour test was inoperable; and that in consequence parishes could do little to prevent the growth of "modern pauperism"<sup>(1)</sup>.

A thirty-five point plan was therefore recommended to tighten administrative procedures and allow for the greater scrutiny of an applicant's case. However, the parishes concerned did little to implement any of the recommendations offered<sup>(2)</sup>. They all felt that their own style of administration was not sufficiently defective for the major restructuring the Board thought necessary. Thus the Board's attempt to control the growth of "pauperism" by producing some uniformity in administration had

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1. The Report on the Methods of Administering Poor Relief in Certain Large Town Parishes of Scotland. Cmd 2524 (PP 1905 Vol LXVIII)
  2. for instance, Leith PCM, 30/10/05; Edinburgh PCM, 22/9/05; Glasgow PCM, 2/8/05; Govan PCM, 11/10/05 and Dundee PCM, 28/11/05



failed. In retrospect this failure had stemmed from its own lingering attachment to established philosophy and practices. With this perspective there was little prospect of fully appreciating the difficulties parishes now faced from the altered needs of claimants. By 1905, although recognised far more than previously as an authority on delineating the trends of policy, it, like local administrators, required to undertake a much more elaborate review of philosophy and practice. The issues involved, the nature, direction and administration of policy were brought to a head in early 1905 by the continued problem of relief to the unemployed.

In the early 1900's, the Government had consistently refused to grant parishes extra powers to deal with the growing numbers of casually unemployed who sought assistance. On the 10th January 1905, in one final bid to persuade the Government to act, Glasgow City and Parish Councils arranged a conference between town, parish and trade councils on future strategy<sup>(1)</sup>. The conference was a failure. A new element had arrived in local welfare politics; the power of Labour. The well-worn remedy suggested by some parish representatives that the unemployed should be committed to labour colonies immediately encountered the hostility of the trade union representatives. Keir Hardie in particular felt that there had to be a much broader perspective to the provision of assistance. He argued that only State organised assistance would obviate the

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1. PLM, 1905, p 57, for an account of English local developments, see Harris, op.cit, Chapter 4

stigma of the Poor Law. To use or amend the Vagrant Acts to control the unemployed would greatly offend the sensitivities of the vast majority of respectable workers. With the intervention of these Labour representatives and the suspicion between parish and town councils on their respective roles any hope for consensus on future strategy evaporated. Instead the Conference was reduced to recommending that the Government establish an inquiry into the Poor Law.

Thus by the Spring of 1905, both the Board and local administrators had reached a critical point in their conceptions of welfare and the future direction of policy. The Board had realised and had it accepted that it should play a more directive role in the implementation of policy. However it had found that the myriad of administrative practices together with the changing nature of claimants' needs and the continued attachment by itself and local administrators to established philosophy prevented the genesis of a new working consensus. It was therefore left to others, with more radical opinion, to thrust the debate onto a new plane. In the Spring and Summer of 1905 that was most forcefully pursued in Parliament.

In April, Keir Hardie asked the Lord Advocate to repeal the no relief to the able-bodied provision<sup>(1)</sup>. He refused. The Liberals

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1. Hansard, Vol 144, 10/4/05, p 999

then asked for the Unemployment Workman's Bill to be applied to Scotland<sup>(1)</sup>. This request was also refused and further Liberal attacks on Poor Law policy followed<sup>(2)</sup>. They demanded better allowances for widows, children and the elderly.

Irrespective of the Poor Law, the Conservative Government's position in 1905 continued to deteriorate. Torn apart by tariff reform, the administration began to crumble. With the prospect of an early general election, Arthur Balfour, the Prime Minister sought ways to restore his Party's electoral fortunes. The Unemployed Workman's Bill for England was one way. Another was to announce a Royal Commission on the Poor Laws. On the 2nd August, after already announcing the appointment of the Commission, Balfour was asked by a Scottish Liberal, if it would also apply to Scotland<sup>(3)</sup>. The particular question had clearly not entered his head and he vaguely replied he was considering the proposition. A week later he had, and announced there would be one Commission for England, Scotland and Ireland<sup>(4)</sup>.

The confusion within the Government about a Scottish Commission was nothing compared to that which occurred almost simultaneously on the Unemployed Bill. On 4th August, a Friday, when most Scots M.P.s had gone north, a couple of Liberals who had remained moved to

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1. *ibid*, Vol 145, 14/4/05, p 201 and 3/5/05, p 821. Questions from A. Findlay (Lanarkshire North-East) and A. W. Black (Banffshire)
  2. *ibid.*, Vol 148, 26/6/05, p 1404. General Debate on Scottish Estimates
  3. *ibid.*, Vol 149, 2/8/05 p 1349. Question from E. Robertson (Dundee); the Parliamentary shuffle for the Commission and the Bill can be found in K. D. Brown, Labour and Unemployment, (Newton Abbot, 1971) Chapter 2
  4. Hansard, Vol 150, 8/8/05, p 638. Question from R. Buchanan (East Perthshire)



include Scotland in the Bill<sup>(1)</sup>. Glasgow they argued had been particularly badly affected by the trade depression and was no different from any other industrial town in England. However inadequate the Bill was, they felt it would be iniquitous for similarly placed workmen to be denied statutory relief north of the border. There was no Scottish Minister present and the Government spokesman, somewhat dumbfounded by the amendment, indicated that apart from the Highlands, there was no logical reason why it should not be extended to Scotland. A re-draft was agreed and introduced the following Monday. The Scottish Press was astounded. The Prime Minister, recognising the furore, accepted that it had become a Government decision to introduce the amendments. He argued that public opinion was in favour of some remedial action and that the Bill, because it would last only three years was not a fundamental alteration in the law. Conservatives, particularly Lord Balfour, the ex-Scottish Secretary were not pleased. To them it was a drastic alteration in the philosophy of Scottish social welfare.

The three events, the appointment of a medical inspectorate, Sinclair's radical administration and the establishment of the Poor Law Commission had created an impetus for change. However these events alone would not have had such a profound effect had it not been for an exhaustive discussion on the meaning and administration

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1. *ibid.*, 4/8/05, p. 299 J. Dobbie (Ayr) was the first to rise. See also pp 396 and 417 for other Commons contributions to the debate. For the Lords debate see, 8/8/05, p 5721

of welfare that took place between the beginning of 1906 and the Spring of 1908. By then the bare bones of a new and more expansive philosophy which dominated social welfare discussions until the Second World War had emerged. The discussions had three important elements. They involved the relationship of Government to engendering a particular type of family conduct, to the mechanics of social, moral and legal restraint, and to the statutory methods of alleviating need. In the debates selected here, the feeding of school children, the control of the feeble-minded and the relief of distress, all of these elements cannot be isolated. However each highlights one of them more than the others.

The origins of the first debate, the feeding of school children, has already been indicated. The Physical Education Commission's Report was too contentious for it not to emerge as a political issue. Indeed, no debate about welfare since the reform of the Old Poor Law aroused so much acrimony and engendered so much energy as this one did. It took six Bills and five Parliamentary sessions to get the feeding of school children by School Boards on the statute book. There were two essential reasons for this and the first concerned the nature of parental duties. Those that opposed this measure, headed by Sir Henry Criak, Secretary to the Education Department until 1906 and then a Conservative M.P., and Lord Balfour argued that for the State to feed even a poor parent's child would reduce the "natural" responsibility that a parent ought to have for its own child. The intrusion of the State to undertake these duties could only result in a further loss of self-respect by independent workers and an erosion of the

effort to maintain oneself and ones family. Without this continued effort economic development would be retarded. Craik in particular, argued that there was more to ill-health and malnutrition than a failure to provide food<sup>(1)</sup>. There was no doubt in his mind that the condition of children had improved since 1872, when his Department began the modern education system. He felt that,

"... behind the minor difficulties of the lack of food there lay a far greater evil in the ignorance of sanitation and its laws, overcrowding, and social conditions in our great manufacturing centres which told against life and against social welfare more seriously". (2)

Neglect was far more serious a problem than shortage of food and it would best be overcome, not by state relief, but by education. The dissolution of the bond of parental responsibility was the sure road to the eventual destruction of a family based society. The duties of citizenship implied the sustenance of ones own children and if this declined, then a parent would only look to their own egocentric needs. The State could only assume this responsibility if it was based on terms more abhorrent to the vast majority, Poor Relief, political disenfranchisement and the prosecution for neglect. Thus the opposers felt that not only would this new measure lead to the destruction of a certain moral form of society, it would also undermine a central value in the existing welfare system which kept Capitalism afloat.

The second reason was a more practical one. Craik and the others

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1. *ibid.*, Vol 167, 13/12/06, p 772

2. *ibid.*, Vol 170, 1/3/07, p 378



argued vehemently for a more restricted and pure view of education, one that did not take into consideration the physical and social well-being of a child. Education was about schooling and not about welfare. To move from those tenets would mean the importation of hitherto foreign duties, more akin to the Poor Law. If that occurred, educational institutions would not only be duplicating but actually extending the Poor Law's work. To them the answer lay in charitable effort and improved education. The nature of the former would preclude any restraint on Capitalistic growth and the latter would enhance individual recognition of the paths to social improvement. The alternative was the creation of a nation of "paupers" and the economic waste of resources. Thus their perspective implied political discrimination, social stigma and public economic restraint.

The counter-attack was equally vehement. Dr Leslie MacKenzie's views had already been discussed and the Liberal M.P.s were quick to follow his line of reasoning. They pointed out the "tragic" reports on human "wastage" by charity societies and others, especially in the larger cities<sup>(1)</sup>. They argued that charity was never enough, often too late, indiscriminate and based not on social concern but on the morality of pity. Philosophically they further argued that financial support through educational welfare "would afford a means of developing a sense of parental

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1. *ibid.*, Vol 145, 8/5/07, p 1157. C. Douglas (Lanarkshire North-East) quoting Dundee Social Union's, Report on Housing and Industrial Condition, (Dundee, 1905)

responsibility<sup>(1)</sup>. The State by providing support, not in a punitive sense, but as part of the right to citizenship would actually prevent the social and moral collapse of the family. This in turn would stimulate economic growth and prevent a Labour Party, whose very nature was antithetical to capitalism, from securing a lasting socialist base amongst the newly enfranchised and propertyless working classes. If this new strategy meant breaking the legal cocoon surrounding the family and treating its members on an individual basis, then so be it. The arguments used in Barony in 1884 when they considered their policy towards mothers with illegitimate children had logically been broadened into any State support for individual members of the family. Thus this new radical perspective suggested that citizenship rights could be guaranteed through "positively" generating social development and public economic growth.

The political tussle began with the Conservative's first Education Bill in 1904<sup>(2)</sup>. Some M.P.s attempted to include the feeding of school children in its classes. It and the whole Bill failed. A new Bill came the following year<sup>(3)</sup>. Deputations were organised, but still the Government refused to include the necessary clauses. This Bill, too, failed. With the formation of the Liberal Government in December 1905, a scurry of activity followed. A Labour proposed Education (Provision of Meals) Bill was followed

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1. *ibid.*, Vol 170, 1/3/07, p 383. T. J. MacNamara (North Camberwell) a Scot sitting for an English seat, claimed he was not being pressed by the "collectivist" wing of the Labour Party
  2. The First Reading was on the 28 March, the Second on the 2nd May and it was withdrawn on the 8th August
  3. The First Reading was on the 8th May and it was withdrawn on 7th August

by a similar Labour and Liberal Bill for Scotland<sup>(1)</sup>. It was soon in difficulty. Firstly, many felt that the cost of meals, if the parent was unable to pay, should be borne by the Poor Law. Those parents would then be politically disenfranchised. Secondly, the Lords, after Lord Balfour's interjections left Scotland out of the Bill. He said not only was he against it, but so too were most Scottish public bodies. Undaunted, another Bill was introduced in early 1907<sup>(2)</sup>. Its key clause, number six, stated that there would be no limit on expenditure (English authorities were limited to a penny rate); that clothing could be provided; and that if cleanliness was lacking parents could be prosecuted for neglect. Although School Boards would initially provide assistance, the case if not otherwise dealt with by voluntary effort would be reported to the parish council who could then provide the necessary sustenance. No political disenfranchisement would follow. The Bill's proposers argued for equity between England and Scotland and stated that some parishes and the S.T.U.C. were in favour. However, the Conservatives continued to oppose the measure, claiming the administrative intricacies of the Bill made it unworkable. A similar Bill was introduced the following year,

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1. SRO. ED 7/7/7, 'Necessitous Schoolchildren - a Historical Memorandum'. Bills introduced on 27th February and 12th March. The Labour sponsors of the second Bill included G. N. Barnes (Gorbals) and A. Wilkie (Dundee). Liberal sponsors included MacNamara and J. H. Dalziel (Kirkaldy); see also The Report of the Select Committee on the Education (Provision of Meals) (Scotland) Bill. (PP 1906 Vol VIII) especially the evidence of H. M. Ferguson of the Edinburgh University Settlement given on 1/5/06 who criticised the organisational weakness of charity to meet the needs of schoolchildren
  2. introduced on 15th February by Ramsay MacDonald and Sir. G. MacCrae, and withdrawn on 21st August



but within a few days the Scottish Secretary had himself introduced a more comprehensive Education Bill<sup>(1)</sup>. The Poor Law was excluded and the Bill encountered no real opposition. The Conservatives had now realised that opinion amongst public bodies had swung in favour of some form of statutory support.

Section Four of the Act allowed for the medical inspection and attendance of schoolchildren. Section Three allowed school boards to feed, for a fee, all school children. Section Six, while outlining the duty of the Board to report verminous, ill-fed or clothed children to the procurator-fiscal for prosecution under the Children's Act, also stated that,

".. if it shall be shown ... that such parents or guardian are unable by reason of poverty or ill health to supply sufficient and proper food or clothing for the child, or give the child the necessary personal attention, the school board, if satisfied that the necessities of the case will not be provided for by voluntary agencies, shall make such provision for the child out of the school fund as they deem necessary". (2)

A Treasury grant was also included. Circular 417 from the Education Department issued in the 15th January 1909, indicated the tenor of future policy. It swept aside caution, stating that Section Six was intended to "check systematic parental neglect" and the school boards should if a child's appearance cast doubt on its well-being give assistance without delay. Only then should an investigation and possible prosecution take place.

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1. Bills introduced on the 12th March and 26th March. The latter was passed on the 24th November
  2. Education(Scotland) Act 1908. Cap 63 (8 Edw. 7.)

Feeble-mindedness had become a vogue word by 1900. The preceeding years had witnessed an ever-growing number of people declared insane and legally confined for their own and society's protection<sup>(1)</sup>. No reading of contemporary official documents can fail to notice the pride and sense of achievement that the system of mental welfare had created. However, by 1900 there were two inter-related problems which were causing the General Board of Lunacy some concern and which were threatening their harmonious administration. Firstly, lunacy control was such a coherent and definitive system that many who worked on its borders regarded it with envy. Certification meant legal restraint, and that in turn meant virtually total control over the lives of the insane. Power, once certified, lay very much in the hands of the system. Those in other welfare institutions whose "clientele" had few controls imposed upon their behaviour and who could do little to influence their "generation" would naturally look to lunacy control as a model. However, only those certifiable as insane could be restrained. Medical opinion and practice excluded many who some administrators regarded as requiring care and protection. These included the alcoholic, the vagrant, the mother who continually produced illegitimate children, the epileptic and those raked with venereal disease. For the Poor Law administration in particular, all attempts to extend the areas of legal control, save for the 1898 Inebriates Act had been blocked.

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1. Annual Report of the General Board of Lunacy. Cmd 7404 (PP 1914 Vol XLI) "Review of Lunacy Administration since 1857"

Behind these administrative difficulties lay another and far greater fear, the mental degeneration of the population. Groups like the Eugenics Society became vociferous in the need to preserve the purity of the race. To them the South African war had demonstrated that their fears were not groundless. Only by the proper control of all those groups likely to lead to racial impurity could the Empire be safe. They called specifically for the legal prohibition of marriage between those deemed "feeble-minded", an extension of certifiable detention and a campaign to eradicate "immoral" acts. The Board of Control in their view ought to become an active agency of social control.

By early 1900, the Board of Control had become worried and alarmed by these movements. In 1903, Glasgow's local Board had eagerly taken up an investigation by its medical officer which showed that most of the insane under its control were there because of drink<sup>(1)</sup>. The Board's own counter-investigation was deliberately crushing. The association was spurious because there was little evidence to suggest that a higher proportion of those who did drink excessively were more likely to become insane than those who did not. Those who both insane and alcoholic were far more likely to have had some pre-established disposition to mental unsoundness. There was little to suggest the hereditary transmission of drinking habits through the generations. The Board

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1. Glasgow PCM (District Board of Lunacy), 27/4/03 and 1/10/03; note also PLM, 1903, pp 72 and 306, A. Wallace (Govan's Inspector of Poor), "Drink in Relation to Pauperism and Lunacy"



concluded its investigations by stressing that

"The evils which [alcoholics] are capable of inflicting upon a community are not therefore so widespread as they are sometimes erroneously represented to be". (1)

To use the Board and the lunacy laws as an active agency of moral interventionism was in consequence unlikely to lead to any great social improvement.

However the Board knew that no matter how hard it tried to hold the line, medical knowledge had advanced since the 1857 Act and that many not certifiable ought to be "protected" from the vagaries of life outside an asylum. It had after all approved Glasgow's Observation Ward Scheme in 1889 and had in 1898 given similar approval to Glasgow's Board providing for the education of imbecile children. What was needed was a new working consensus with policies and strategies that would maintain the system's essential features yet cater for those who would benefit from care and protection. On the 9th September 1904, a Royal Commission on the Care and Control of the Feeble-Minded was established (2).

Its remit was

"To consider the existing methods of dealing with idiots and epileptics and with imbeciles, feeble-minded or defective persons not certifiable under the Lunacy Laws; and in view of the hardship or danger resulting to such persons and the community from insufficient provision for their care, training and control, to report as to the amendments in the law or other measures which should be adopted".

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1. Glasgow PCM 1/10/03

2. op.cit. Lord Radnor was the Chairman. All the Scottish evidence (twenty-seven witnesses) was taken between February and June 1906; for a general appreciation of the Commission in the development of care, see K. Jones, A History of the Mental Services. (1972) Chapter 8

A Scottish Commissioner. J. C. Dunlop, the Superintendent of Statistics for the Registrar-General was appointed the following March.

The attack in Scotland for increased detention and the extension of those covered was led by the Poor Law witnesses. They indicated that city life was full of temptations to immorality and gave graphic details of the sins of prostitution and the transmission of heredity vice and "pauperism"<sup>(1)</sup>. They argued that many, like the growing and troublesome class of poorhouse "ins and outs" lacked any sense of right and wrong. The labour market, through trade union practice and the operation of the new Workman's Compensation Act militated against many feeble-minded men from gaining employment. Employers they argued only wanted economically productive workers. Many of the witnesses assailed the "fetishism of liberty" which had previously destroyed all hopes of more legal restraint. With philanthropy showing itself incapable of meeting the needs of those requiring care there was little prospect of poverty, vice and feeble-mindedness being "cleared from the streets"<sup>(2)</sup>. Even the legislation they argued was inadequate. The Inebriates Act was so restricted in its operation that few alcoholics were actually restrained. A new philosophy of intervention was required, one that did not demand the authorities proving in a Court that an individual was a

1. op.cit. They included Glasgow's Inspector of Poor and Poorhouse Governor, and J. B. Barclary, a General Superintendent of Poor; see also Glasgow Inspector of Poor's evidence to The Departmental Committee on Vagrancy. Cmd 2891 (PP 1906 Vol CIII) given on 25/5/05
2. PLM, 1904, p 41, J. R. Motion (Glasgow's Inspector of Poor), "Pauperism and Vagrancy", 1904, p 271, "Poor Law Conference in Edinburgh" (on the refusal of the Scottish Secretary to introduce legislation to control inebriates and others), 1906, p 244 "The Inebriates Act" (where again the Scottish Secretary refused to introduce legislation).



danger to themselves and the public. Only then would public and social order within a more mature capitalist society be preserved. It was strong evidence. However it hid some essential weaknesses. Firstly the witnesses lacked the Board's professional and independent status. Few were qualified to give a medical definition of insanity or to discuss the nature of individual treatment. Secondly it was difficult in their evidence to perceive a model of restraint that could be compatible with the gradual extension of citizenship rights. What they had suggested implied not only greater discrimination and stigma, but also the enhancement of an official's power to control the lives of ordinary citizens.

The Board of Control exploited these weaknesses ruthlessly. One Deputy Commissioner felt that the total control of ineducable children by preventing marriages was impossible by "tolerable" legislation<sup>(1)</sup>. Another effectively destroyed the Eugenics case by stating,

"The duty of the State towards the subjects of mental unsoundness is purely ethical and is limited to securing their safety and well-being, and to protecting the citizen from any annoyance that may be caused by their unrestrained presence in society. I am aware that some evidence had been given before this Commission suggesting that mental enfeeblement being largely genetic in origin might be stamped out by preventing propagation on the part of all persons who are judged to be mentally enfeebled or disordered. If mental unsoundness were a foreign strain introduced into a community then it could possibly be extirpated in one of the several ways suggested, but it is merely a variety which so long as individuals are not at

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1. Evidence of Dr. C. MacPherson given on 23/2/06



a dead level of mental endowment must always arise anew, it is useless to propose any such means for checking its production. The ground for universal registration and control is therefore untenable". (1)

The only excuse for the forceable control of a defective's life, he argued, was if they were somehow being maltreated. That, however had been conceded by the 1857 Act. To go further and demand the registration of all those sheltered in their own homes would be "of the nature of an inquisition". Rooting out mental instability and hence vice, evil and for that matter "pauperism" was impossible given the varying talents of human beings. The sound and the sane were equally capable of both becoming insane and producing enfeebled offspring. His message was clear. Control would have to be total and that would be an inquisition.

His colleague, the Board's Secretary went further and indicated the tenuousness of the present administration. He argued that,

"Though insanity cannot be defined, its meaning and practice is at present fairly well understood both by medical superintendents of asylums and by general practitioners. To legislate so as to disturb that understanding would create general confusion of thought and would go far to destroy the foundation upon which the fabric of lunacy legislation may be said to rest, which is, that a person cannot be admitted to any asylum unless certified to be insane, and cannot be detained in any asylum after recovery has in the opinion of the medical superintendent or principal medical officer of the asylum, taken place. Such legislation would be an injury to the interests of those who are admittedly lunatics in the popular sense; and it would I believe, fail in its object, because whatever scientific theories may be held, and rightly held, with regard

to the irresponsibility and mental or moral deficiencies of certain persons not certifiable as lunatics, legislation which should attempt to deal with such persons as lunatics would not have public opinion with it ... the breaking up or serious disturbance of the existing lunacy law would be too great a price to pay for partial and more or less experimental measure(s)". (1)

This was stunning evidence. No Commission could fail to take note that if its recommendations were at all revolutionary or experimental, public opinion would soon be so disorientated as to what was mental disorder that the whole fabric of confidence in the structure and its administration would collapse.

The Board fully acknowledged the need for the alteration in the lunacy laws and their administration. It had felt that it had done much to improve conditions within asylums and were anxious that those groups now considered by medical evidence to be so enfeebled ought to have some statutory assistance. However they viewed this issue, not as one of principle, but rather of extending the system's administrative work. It did have one other concern. Just as it viewed the philosophy of a punitive social experiment with suspicion, so too did they suspect the more liberal expansive philosophy expounded by Dr. MacKenzie.

His evidence to the Commission had stressed the belief that compulsory detention of those groups sought by the Poor Law witnesses would turn poorhouses, asylums and labour colonies into prisons<sup>(2)</sup>.

It would be much better he claimed, if there was a more thorough

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1. Evidence of T. W. C. Spence given on 23/2/06
  2. Evidence given on 11/6/06

classification of the medical and mental state of these individuals. However this could only be facilitated by instituting a new principle. Previously a "pauper", and for that matter a lunatic, was regarded as "a derelict to be housed until he died", now if there was going to be a radical alteration in practice, it would have to be under a philosophy that would make care, attention and control of all those with feeble minds acceptable. The only possible philosophy, he argued, was one in which an individual was, "regarded as a temporary incapacitated citizen to be nursed into efficiency". To the Board, however liberally intended these ideas were, there still remained the problem of convincing the public that officials would not have unlimited powers to seize or detain those that they deemed in need of treatment.

When the Commission reported in 1908, it was met by a silence bordering on apathy<sup>(1)</sup>. The reasons were obvious. It had chosen to ignore all radical suggestions and plumped for reforms that would do little to alter the existing order of things. Their basic philosophy entailed keeping the control of the mentally sick under the aegis of one central and local authority. The Central Board was to have an increase in the powers to control asylum management and official behaviour and there was to be an extension of the categories to be under care and supervision. Terminologies were to be altered. Out went asylum and lunatic and in came hospital and mental defective. The Treasury was

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1. PLM, 1913, p 341



to provide an annual grant for the new group of mental defectives brought under care. All defective children were to be under the control of the local board. Epileptics not mentally defective were to have their own institutions and local boards were to have easier powers to admit voluntary patients. Save for the last two recommendations, all of this followed the traditional practice, that mental welfare was dominated by legal protection. To the Commission, medical knowledge although growing did not command the same authority in the electorate's mind as the sheriff and other legal procedures. Because of this, the legal restraint of an individual, even if mentally disordered, had to be conducted through established conventions. Any experimentation in provision would have to come, not through overt manipulation by public bodies, but through voluntary co-operation of those individuals seemingly "temporarily incapacitated". What this erstwhile Conservative Commission was suggesting was a model of social welfare concerned about improving an individual's "efficiency" or "powers". Welfare institutions would have to be perceived not as co-ercive agents of social control, but as agencies for helping an individual recover or improve their mental and physical functions. Only when this was established could MacKenzie's philosophy become generalised<sup>(1)</sup>.

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1. for a note on the Parliamentary passage of the subsequent Bills, see *ibid.*, 1913, pp 62, 189, 197, 248; The Mental Deficiency and Lunacy (Scotland) Act 1913 is reviewed in the Annual Report of the General Board of Control for Scotland. Cmd 7944 (PP 1916 Vol XXVII) "The powers and duties of the various authorities under the Act"

Whatever the polemics that surrounded the origins of the Royal Commission on the Poor Law, there can be no doubt that its Commissioners sincerely believed that their deliberations would greatly influence the future development of social policy. Its aim by understanding the nature and alleviation of distress, would strengthen an institution under growing stress. However the Commission suffered from two particular difficulties.

The first reflected the composition of the Commission. The allegiance of majority of the Commission was firmly towards the upholding of the more traditional Poor Law principles and practices. They clung tenaciously to the belief that they could evolve a policy that would improve the more traditional Poor Law practices and confirm their legitimacy. With a view of human nature that ran through the philosophy of the New Poor Law to utilitarianism and onto Hobbes, public assistance was a necessary evil. Man was a creature of momentary pleasure, egoistic and lacking in any real sense of community. If society was to survive, public order maintained and economic progress guaranteed (which most agreed was necessary), it was essential to create public institutions that would suppress baser inclinations. The Poor Law, because all welfare was really a temptation to pleasurable living at someone else's expense, was ideally suited to the task of controlling those whose "dissipated, depraved and profligate" habits made them economically useless and socially redundant. It was a view of man and social welfare that many Poor Law witnesses to the Commission held. For instance, Glasgow's Inspector of Poor thought that the bulk of his recipients, particularly those on indoor relief, were "paupers" because of their intemperance and

immorality. He told the Commission,

"If we had more good people in the ordinary labouring classes there would be less pauperism, and that can be demonstrated by visiting the homes of a great many hard-working, struggling people who live a good moral life". (1)

The Poor Law existed to provide public funds for those unable to care for themselves and by its own peculiar policies was to restore an individual to self-support. The distillation of this philosophy had since the 1840's emphasised destitution as the criterion for assistance. Widowhood or sickness and other similar social conditions were only secondary tests for the receipt of assistance. Unless there was financial poverty, any needs that these engendered were irrelevant. The only valid need appeared that of moral and spiritual guidance to lead a more productive life. In 1906, it was not a formula that would be given up very readily.

The bias was not all on one side. Headed by the Webbs, other Commissioners had little belief in the efficiency of the Poor Law or its established view of welfare. Their perspective also stressed the abhorrence of wasted human abilities. However they took a more Lockean view of human nature. Man was socially co-operative, desiring to seek through agreement with others, the betterment of themselves and of society. Translated into actual policy they saw a need to redesign and evolve public

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1. Evidence given on 5/6/07



institutions that would satisfy man's wants and assist him develop his abilities. They did however face a predicament. If social betterment was a necessity and the wastage of one's abilities an evil, how far could the new institutions force the development of one's talents? The Lockean constitution allowed for rebellion; would the Webb's welfare institution allow for dissent?

The second source of difficulty came from the nature of the Commission's investigations. The Poor Law had 874 parishes, 3,000 officials and nearly 10,000 councillors. It was a political and administrative mammoth. Details of the socio-economic characteristics of recipients, officials and councillors were hardly known. Without some form of dissection, no-one would hold any recommendation made with respect. Yet the Commission's ability to make that dissection was not only hindered by its philosophical divisions but also by a considerable intellectual weakness. Beatrice Webb's famous "flash across" her mind is well known and if that does not imply "ad hoc" reactions to the problems and practices they encountered, then it does imply a failure to grasp the political and philosophical intricacies of the contemporary debate about welfare<sup>(1)</sup>.

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1. B. Webb, op.cit., p 348. There are a number of reviews of the Commission. They include, A. M. McBriar, Fabian Socialism and English Politics 1884-1918, (Cambridge U.P., 1966); B. Abel-Smith, The Hospitals 1800-1948, (Harvard U.P., 1964), Chapter 22; J. L. Brand, Doctors and the State, (Baltimore, 1965) pp 199-208; S. and B. Webb, English Poor Law Policy, (London, 1929) Chapters 6 and 7. For a sympathetic note on the Webb's intellectual problems in generating a new welfare synthesis see, N. & J. MacKenzie, The First Fabians, (London, 1977) Chapters 21-23

With neither perspective dominating the Commission's hearing and lacking in comprehensive talents much of the evidence presented degenerated into regurgitations of petty administrative detail. Unwittingly, the Commission found for all these ramblings many of the more senior administrative witnesses were full of radical suggestions for improving the relief of distress. The Board's own Chief Clerk stated that he was in favour of a national Poor Rate and hiving off the sick, the unemployed and the insane to other institutions<sup>(1)</sup>. Glasgow's Inspector of Poor wanted the law of settlement abolished. Divided amongst themselves, deficient in intellectual ability, bedevilled by petty administrative details and listening to many half-backed schemes, the Commission's hope of securing the widest possible agreement for the widest possible change evaporated.

From all the evidence that the Commission collected, it is possible to distinguish three contributions that had a significant influence on the debate about the relief of distress and hence greatly influenced both the Commission's deliberations and the subsequent Reports. The first was the result of Dr. Parsons's special inquiry into the provision for and care of Poor Law children<sup>(2)</sup>. His exhaustive and powerful Report indicated that the present

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1. RCPL (SE), Evidence of A. Murray, given on 7/5/07
  2. RCPL, "The Condition of the Children who are in Receipt of the Various Forms of Poor Relief in Certain Parishes in Scotland". Cmd 5075 (PP 1910 Vol LII). Dr. T. C. Parsons was the Medical Superintendent of Fulham Infirmary and Workhouse. Edinburgh, Glasgow, Govan, Dundee and Lanark parishes were surveyed

administrative system failed to meet the social needs of these children. Although the structure of relief was fair and reasonable, the actual method of assistance was irregular, unsystematic, perfunctory and often unprofessional. Poor Law officials, despite being concerned about a child's welfare had not completely grasped the "modern" elements of care; that the full development of a child's capabilities by a public institution needed constant medical and social supervision.

In detail he criticised the three forms of assistance that a child was likely to receive. Firstly, he felt that there was no rational principle for deducting household or family income from Poor Law benefit. This of course was most relevant to those children who were with their parents on outdoor rolls. It meant that claimants were highly dependent on the good-will of officials and councillors which the 1905 Inter-Departmental Committee felt was often variable and erratic. Only Edinburgh and Glasgow had lady inspectors and even they did not supervise all children on the outdoor roll. The majority of the other males had neither the qualification nor the experience of age to operate impartially or professionally in the absence of fixed scales of relief. They were certainly not qualified to give more than fleeting "supervision" or to estimate the extent of non-income needs. Secondly, although he commended many of the homes of those boarded out, he felt uneasy about the loose form of supervision that parishes imposed. To him it placed too much responsibility on the guardian to meet all the child's needs.

It was however, the third form, indoor assistance, that attracted



his most vehement criticism. Poorhouses in his view had become both a transit camp for children on their way to guardians and a permanent home for those either too ill or too "vicious" in character to be fostered. Parsons found that many children had been kept in the institution for years with little or no contact with the outside world. There was little variation in diet and many facilities, including physical recreation, games, toys and books were poorly provided. Worse, to him, three-quarters of the children he saw required urgent medical attention. His Report concluded with recommendations for better medical attention, the provision of dental and optical treatment, the establishment of receiving homes for children not to be boarded out and a wider variation of diet. The dull monotony of a poorhouse routine, scantily provided with medical attention would do little to enhance a child's development.

The shock of the Report caused acute embarrassment and fury<sup>(1)</sup>. Parsons' criticism, in retrospect had similarities to the theory of social welfare expounded by C.O.S., the need for more personally-orientated care. However he had gone further because he had not associated that perspective with the discriminatory moralisms normally linked to C.O.S.<sup>(2)</sup>. Instead he had shown that traditional Poor Law practices did have contradictions. Treating

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1. The more detailed reaction of parishes can be found in the next Chapter
  2. M. Roof, A Hundred Years of Family Welfare. (London, 1972) Part 1

"each case on its merits" allowed the personal biases of officials and councillors to influence the alleviation of need. The Poor Law's focus on the more legal concepts (settlement inquiries, the liability of relatives, etc.) diverted its administrators away from treating recipients as needing personalised support. The provision of "model" poorhouses could only be an adjunct to, not the replacement of, other forms of indoor attention. Those who sought reforms were not slow to pursue the principles of his Report and advocate alterations in child care practice.

The second significant contribution came from R. H. Tawney at that time research assistant to one of the Commissioners, Professor Smart of Glasgow University<sup>(1)</sup>. It was not so much what he said, other witnesses and indeed other investigations had revealed the same facts, but how he said it. His evidence related to the research he had done in Glasgow, on the relationship between unemployment, boy labour, and the functioning of the labour market. The problem he had hoped to understand was how at a time when there was a shortage of skilled labour was there so much under-employment amongst certain workers. It was apparent to him and others that the newly created distress committees were receiving application not only from the "veterans of industry" but also its "raw recruits". The answer seemed to lie in the operation of the labour market when the young lads were first recruited.

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1. RCPL (Unemployment). Cmd 5068 (PP 1910 Vol XLIX). Evidence given on 16/3/08

The different types of hiring practice between skilled and unskilled led to an eventual segmentation of the market and the casualisation of many of the unskilled. Unless a working lad secured an apprenticeship at the right age, a year or so after leaving school, he was often doomed to a dead-end job. Many could on leaving school obtain comparatively well-paid jobs, such as van-delivery, but there were very little prospects of a secure career in these occupations. Employers admitted that boys were employed for their "commerical utility". which put more crudely meant that they were cheaper to employ than adults. Once they achieved "manhood", the distribution of work within a firm between adults and boys meant they would be dismissed. With little training the majority would drift into irregular and ultimately badly paid employment which would preclude them from providing for unemployment, sickness or other debilitating conditions.

A traditional Poor Law administrator would probably not have disagreed with this analysis<sup>(1)</sup>. However, the blame for the eventual social condition of the casual labourer would have been laid at the individual's free choice of occupation on leaving school. What Tawney did was to present his evidence, in such a way that emphasised the environmental, extraneous and structural causes of the labourer's social condition. The labour market was not something that a boy of fourteen could manipulate for himself, Unless the lad had family or other connections with a skilled

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1. *ibid.*, for instance the evidence of J. Ferguson, Indoor Inspector of Glasgow Parish Council and Chief Investigator for Glasgow's Distress Committee, given on 20/1/08 and C. C. Ellis, the Board's Clerk in charge of administering the Unemployed Workman's Act, given on 14/1/08



trade, then an apprenticeship was often no more than a pipe dream. Anyway few fourteen year olds with parents in low paid or unskilled jobs could afford not to take the relatively high economic reward that would boost family earnings. Moreover no fourteen year old had the power to determine the pace and direction of "commercial" change which, in 1907, seemed to be leading to more semi-skilled, unskilled and casual labour. There was little if any real "free choice".

Shifting the analysis of the causation of social ills from individual choices to more aggregate social and economic movements spelt the death-knell for the use of a public institution like the Poor Law to reinforce the traditional virtues of thrift, family morality and self-support. If the mechanics of the system caused social ills then the individual could not be blamed.

In consequence public welfare would have to reformulate the mode and extent of assistance it gave. Tawney's evidence implied that because of continuing economic change public support was now required to improve the capabilities of an individual in order that he might overcome the system's ill-effects. That it seemed could only be done if an expansivist perspective on social need was adopted.

Dr Parsons' evidence had thus destroyed much of the validity of traditional Poor Law practice and suggested the kind of inter-personal social welfare necessary; Tawney's had shown that the causes of distress and poverty were located within the socio-economic system; Dr MacKenzie's, the third significant contribution, presented a detailed critique of existing (but mainly medical) services and suggested a general administrative structure for

the alleviation of need. If he had been anything other than the Medical Member of the Board his evidence would probably have been dismissed out of hand as that of a crank. However so concerned was the Commission about his statements that they had to recall him to give further evidence.

He began his critique of existing services from an assumption that,

"so long as relief is given only on condition of destitution, it necessarily comes somewhat after the fact".<sup>(1)</sup>

The efficiency of the existing system was therefore already in doubt. The majority of those who applied for relief were already chronically sick (they had sought to avoid the stigma of relief for as long as possible) and therefore it was extremely unlikely that any form of treatment the Poorhouse could offer would restore them to independence and self-sufficiency<sup>(2)</sup>. Poorhouses, because of the nature of their clientele had been unable to attract either the better qualified doctor or the trained nurse<sup>(3)</sup>. Even many of those on the outdoor roll, because destitution came as the first test, would, like the chronically sick be beyond hope of making an effective contribution to the economy. He condemned the Poor Law system because in his view it was orientated to the minimum not the maximum. Under this system, "pauperism" was to be kept at the lowest possible level by the application of rigid medical and labour tests, the settlement laws, enforcing family responsibility to give support and the handing out of

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1 RCPL (SE) Evidence. Similar Source for quotes on pp 129-130

2 This particular critique was reiterated by Dr R. S. Aitchison in his evidence given on 20/6/07

3 This had been particularly acute in Dundee, see PCM, 25/5/00 and 16/08/09

barely subsistence allowances. He argued,

"... on its present footing, the Poor Law medical service can never become effectively preventative ... but if it cannot become preventative of disease among the poor, and yet not adequately supplemented by other preventative organisations, the Poor Law medical service will remain an expensive service for dealing with an unending and uncontrolled stream of derelict sick ... I am satisfied that the vast masses of preventable diseases are untouched by any preventative service, public or private",

Changes were occurring, notably the observation ward scheme and Glasgow's new hospital policy, but the structure of local government with its small units of administration, its disproportionate expense and its inefficient officials militated against the rapid and wholesale adoption of new and more positive programmes.

Voluntary Hospitals were under so much pressure to provide medical attention that many made charges or had a subscriber's list to supplement the contributions they received to give free and unrestricted treatment. Many were forced to send the more chronic or convalescent patient to a poorhouse. The lack of co-operation and co-ordination in health care between the voluntary and public authorities prevented the evolution of a carefully planned policy that would reduce duplication of effort, eliminate waste and enhance the overall quality of care<sup>(1)</sup>. He stated

- "a) that the relations between voluntary hospitals and Poor Law hospitals in Scotland need readjustment;
- b) that the voluntary hospitals are as they were serving

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1. Kay and Tonybee, op.cit., reiterated this problem with particular reference to Edinburgh Medical Charities.



- public needs, ought to receive public rate-aid;
- c) that existing public hospitals, whether rate-aided or not, are insufficient to meet the need for further hospital accommodation for the non-destitute;
- e) that the "destitution" test had failed to restrict the class of sick to the "friendless impotent poor" or "destitute sick".

This was almost revolutionary. The way forward towards a more efficient and economical service and one that would respond more purposively to people's needs was to create a preventative system of medical care. In this system commercial considerations would be secondary. A sickness test would replace a destitution test. All health matters would be divorced from the Poor Law and centred on a Public Health Authority, which in its infancy had shown that it was capable, efficient, flexible and high in public prestige. Freed from the relief of poverty as its prime function, this new authority could actively work in the community to reduce disease and ill health and restore individuals to the full health necessary to develop their abilities. To press his argument he reiterated the recommendations of the 1904 Departmental Committee on the need for specific improvement in poorhouse care.

The importance of MacKenzie's evidence lies not only in it coming from a senior member of the central authority, but in that it was the first exposition of the wider problems of health and other care in Scotland since 1844. MacKenzie had combined a radical philosophy of State intervention with the need to reform the whole structure of local government. More power to control the development of policy and the pace of its introduction was needed by the Board. He had indicated to the Commission that if it wanted to meet social need it would have to recommend the alteration of both the relationship of a citizen to the State and the administrative structure of

welfare. In one day's evidence he had destroyed the rationale, established less than twenty years previously, for the reform of local government and the creation of his own Board. A much wider agenda for improving Scottish health and welfare had been set.

The debate and eventual disagreement within the Commission about the reform of the Poor Law has been documented elsewhere, however, it is essential to grasp the almost total acceptance by the Minority Report and the grudging acknowledgement by the Majority of Parsons', Tawney's and MacKenzie's evidence<sup>(1)</sup>. The Majority were too well ingrained with traditional philosophy to turn into social radicals but they did recognise that existing Poor Law practices and administration had serious faults. To them, poverty was still grounded in some moral defect of character which without the regulative benefits of social institutions would destroy "man's capacity for self-management"<sup>(2)</sup>. Public and social order within the community needed the influence of "expectation and example" that this self-management engendered. The Majority's guiding philosophy was one that would place the relationship between public official and recipient on a new footing, one of constant supervision and friendly advice. This, unlike the established Poor Law philosophy was to be a total relationship. With voluntary agencies directly linked to the New Public Assistance authorities and with compulsory detention available for those deemed

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1. Brand, Abel-Smith, MacBrian, the Webbs, Rose and Searle all discuss the more English and U.K. aspects of the Reports
  2. S. and B. Webb, op.cit., p 350, quoting Prof. B. Bosanquet, a leading proponent of the Majority's case

socially and medically "at risk", only those who avoided virtually all contact would escape the tentacles of social reform. To achieve this they proposed five basic principles; an increase of the Board's regulatory powers; the reform of local government (urban parishes to be amalgamated with burghs, and county authorities to manage poorhouses); the improvement in the quality of relief (better trained officials); the linking of relief to any necessitous circumstance; and the integration of Public Assistance with local charitable activities<sup>(1)</sup>.

The Minority by contrast began from a philosophy that saw the wasting of human abilities as a social evil and destitution "as the inevitable result of the social environment". Like an infectious disease, destitution could and should be eradicated. They believed that they had uncovered a broad evolutionary trend in social development which superseded the generalised character of Poor Law assistance. The Public Health Authority, the School Board, the Unemployment Relief Committee and the District Lunacy Board all bore testament to more specialised methods of care. It was now time to logically finalise that process by attaching it to the principles of prevention. Each adult, child, whether sick, unemployed or whatever had their own special needs which the community had a responsibility to meet. If needs were met when they first arose, the hopelessness and the demoralisation

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1. Report of the Royal Commission on the Poor Law ... for Scotland. Cmd 4922 (PP 1909 Vol XXXVIII)



associated with destitution would be avoided. To them, with their deeply held views on social waste it was essential to have a series of welfare institutions that would "search out" for all potential victims of destitution. No-one could escape from this process, otherwise like some infectious disease they would be a danger to public order. These new welfare institutions would therefore have to have compulsory powers to demand that assistance be accepted. If necessary, recipients would have to be detained within an institution for restoration, reformation, re-education and retraining.

Both Reports therefore were offering substantial alterations in the philosophy and practice of welfare. However there were criticisms. The basic criticism of the Majority is perhaps, unlike the Feeble-Minded Commission they had not sufficiently grasped that the relationship between recipient and public servant was not one of alms-giver to a "down and out". The latter had a certain voluntariness embedded in the power of the alms-giver to change the behaviour of the receiver. If the conditions of relief were unacceptable, then the "down and out" could seek some other less punitive donor. Although they did not demand the "searching out" of destitute persons which the Minority wanted, their scheme of legal assistance (which abolished the sheriff's appeal) implied an involuntary relationship and allowed little, if any countervailing power in the hands of the recipient. The Minority, for their part by insisting on powers to "search out" and mitigate all social need failed to realise their recommendations were no more than a panacea for the creation of an never-ending multitude of busybody civil servants who had

little restraint on their powers. For both Reports, a formula to balance the protection of a citizen's liberty with their right to receive some form of necessitous aid had not been discovered. The Majority had cloaked their concept of "care" in the terminology of the 19th century stigma, moral discrimination and paternalistic middle class rule, and the Minority their concern about a person's social development in the iliberalities of a mechanistic bureaucracy. In a period when parish councils had been forced to become more accountable to a wider based franchise and when many of those entitled to vote were on the borderline of eligibility, both Reports had failed to acknowledge that the method of relief as much as its ethic had become a central political issue. Neither in their pure form was acceptable to the electorate to stand a real chance of implementation. The working-classes, as one Labour reviewer suggested, were far more interested in concrete rights, like those obtainable through insurance, which would guarantee a minimum of intervention by officials in how they conducted their lives<sup>(1)</sup>. With some success he urged that Labour, now a significant grouping on the majority of industrial parishes, give the Minority Report only a cautious welcome.

Despite these drawbacks, the Reports had raised a number of important issues and had officially introduced new concepts into public social

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1. Forward, 29/10/10, C. H. Norman, "The Quality of Mercy", 19/11/10 and 3/12/10, "Manifesto of Labour"

welfare. Firstly, a new meaning had been attached to "care"; secondly, social need was seen as something beyond the meeting of bare physical wants; thirdly, poverty was recognised as being caused by a complex interaction of the individual in social and economic institutions; fourthly, an overhaul of the administrative procedure was considered necessary; and fifthly, central government ought to take a more direct interest in the execution of policy.

Both Reports caused almost immediate shock, dismay and demoralisation amongst Poor Law administrators. From being regarded as the lynchpin of social welfare before 1906, administrators now had to reconcile themselves with the prospects of defending and accounting their activities to a more skeptical electorate who were voting in larger numbers for Labour candidates. This was seen most succinctly in the Poor Law Magazine reviews. The initial review was hostile<sup>(1)</sup>. It condemned the Minority Report as impractical, the work of social missionaries, and the Majority as the work of impervious Englishmen deluded by theories of charity. However, the next review, perhaps sensing the Minority had important political allies, stressed the Webbs were not communists or anarchists out to destroy private property, rather they were social evolutionists who were deeply concerned about the Poor Law's apparent failure to arrest destitution and poverty<sup>(2)</sup>. To him, some of the radical reforms, though not the

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1. PLM, 1909, p 333, review by R. S. Brown

2. ibid., 1910, p 36, review unsigned



abolition of parish councils were necessary if the Poor Law was to retain popular legitimacy. Reflecting this divergence later reviews began to acknowledge that there had been a shift of thought about social welfare and although sternly defending the Poor Law suggested that some re-assessment of its functions was necessary<sup>(1)</sup>. This need for change by administrators was underlined when the Glasgow Herald itself suggested the Minority's views on efficiency and economy were worth "serious consideration"<sup>(2)</sup>. However the most authoritative Poor Law review came in 1911 with the joint Report of the Arbitration Committees of Edinburgh, Glasgow and Govan Parish Councils and the Society of Inspectors of Poor<sup>(3)</sup>. Save for the integration of parish councils, town councils and voluntary agencies, the Majority Report was approved.

By 1912 therefore, Poor Law administrators had come to some sort of agreement that changes in the administrative framework were necessary. Grudgingly, they had also recognised that there needed to be a change in the conception of poverty and welfare. The unmistakeable acknowledgement of this came the following year in 1913, during the Royal Commission on Housing examinations, when Glasgow's Inspector of Poor's philosophy of poverty was ferociously demolished by Dr MacKenzie, one of the Commissioners,

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1. PLM, 1910, p 145, review by R. B. Lang, p. 304, review by D. Barrowman, 1911, p 49, review by W. Pressley (all inspectors of poor), 1912, p 245, J. Cunningham, Chairman of Glasgow Parish Council
  2. Glasgow Herald, 5/11/10, Leader
  3. PLM., 1911, p 188

"Q. You say, 'It is not so much the insanitary condition of the City as the kind of people who live in it. The insanitary slums arise from the way these people live, principally in congested districts where common-lodging houses are situated'. Do you mean that statement about insanitary slums arising from the way these people live to be quite general, or are you confining it to the type of slum that arises from misuse of houses? Do you go the length of saying that all slums are due to the tenants?

A. In so far as that type of people come before my notice ...

Q. We are perpetually told by people that the whole condition of a house depends of the person in it. We know that the person in it is important, but what I want to make quite clear is that there are masses of houses in Glasgow, as no doubt in other great cities, where the structure and position and site and everything else are so radically bad that it does not matter what kind of tenant you have in it, the place ought to be swept out of existence?

A. Clearly ...

Q. So that it is not entirely the fault of these people that they are like that?

A. No" (1)

A year later the Inspector's views had crystallised<sup>(2)</sup>. Social welfare was not only about providing spiritual and moral education, it was also about the greater support of social needs. That meant the use of more and better trained "social workers".

The philosophy of social welfare had come far since 1900. The threshold towards a more expansive system had successfully been crossed. The waste of human abilities, the result of environmental conditioning could be overcome by the redesigning of welfare

1. Royal Commission on Housing in Scotland (Evidence). (1920). Evidence given on 30/10/13. The Inspector of Poor's statement on individual blame was given to a Sanitary Association Conference and titled "The Unskilled and the Vicious", see PLM, 1904, p 441
2. ibid., 1914, pp 142 and 177. Lecture to the Glasgow School of Social Studies

institutions to fulfill a more positive and purposive role. Administrative radicalism had focussed the debate both on the need for greater amounts of individualised support and on a national direction of provision. Yet in 1914 a discussion of the agenda worked out in the preceding decade had barely begun. A logically, economically efficient, politically acceptable and socially useful system had still to be concretely evolved. To have a fuller understanding of the difficulties that this evolution posed, it is now necessary to turn to the development of local policy in the years between 1900 and 1914.



CHAPTER FIVEREFORMISM, SOCIAL CONTROL AND POPULAR CONSENT: THE LOCAL DEBATE1900-1914

Chapter Four has indicated the national debate about the development of welfare in the period from 1900 to 1914. All considerations of this debate had had to recognise that the implementation of policy rested on the decisions and actions of a multitude of local politicians and officials with two exceptions; old age pensions from 1908, and National Insurance from 1911. What then were local Poor Law reactions in the years before 1914? How far did administrators alter their perspectives on the development of statutory services, the position of individuals within that service and the role of central and local government? How did they view existing policies to regulate family conduct, to develop public legal restraint and to improve the relief of distress? What new suggestions did they offer? Only through an understanding of these questions will it be possible to appreciate the mechanics and direction of local developments. The first part of this Chapter will therefore look at the relationship between philosophy and policies, leaving the second part for a discussion on policies and practice. However no account of developments can take place in isolation of the more general political, social and economic changes that were taking place and the more important of these for welfare development will also be discussed.

The 1894 Local Government Act had, within the limitations of the 1884 Franchise Act, seen the democratisation of parish councils. Considerable numbers of working men and a smaller number of women could now vote and become councillors. Yet whatever the change in the electorate, until 1907 the majority of urban councillors continued to be drawn from the middle classes<sup>(1)</sup>. Even in Bothwell, an industrial mining parish, only a quarter of the Council was composed of working men<sup>(2)</sup>. In rural areas it was less, with an added factor of the professional and business classes sharing power with farmers and landowners<sup>(3)</sup>. The reason was simple; with the philosophy of individualism still rampant, all classes were prepared to accept a similar perspective on Poor Law development. As such there was no reason why the working class voter should not accept middle class representatives monopolising its administration<sup>(4)</sup>.

In the early part of the decade, therefore, the balance of power lay in the hands of the middle classes. Within that particular grouping, a number of councillors had on reflection of past difficulties in the care and control of urban "pauperism" evolved a much more distinctive philosophy of welfare; they specifically wanted to fashion the Poor Law into an active and discriminatory tool of social improvement. This new "reformist" philosophy can best be illustrated by the views of James Brand, the Tory (and Catholic) Chairman of Glasgow Parish Council, 1898-1901. Although in each of the larger councils, a similar re-orientation of thought

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1. PLM, 1899, p 5, A Wallace, "The System of Relief in the Large Cities", RCPL(SE) evidence of J R Motion
  2. Bothwell PCM, 13/12/01
  3. For instance, SRO CO4 41/2. "Penninghame Parish Council Minutes, 1910".
  4. For instance, see the tenor of the evidence in the RCPL(SE), by R. B. Barclay (General Superintendent of Poor), given on 27/5/07, Miss E Hawden, Edinburgh Parish Council, given on 12/6/07 and W Cochran, Glasgow Parish Council, Appendix LXXVII.

took place, it was this councillor more than any other that presented the most cogent case for reform and provided it with a defensible middle class logic. Moreover it was a logic that transcended traditional Conservative and Liberal Party boundaries. What Brand and a number of other similarly inclined councillors were arguing for in Glasgow, Liberal councillors were suggesting in Edinburgh. The same applied in Leith. In other parishes like Dundee and Govan, it was the small group of philanthropically minded ladies with their concern for children, women and the sick that pushed the discussion away from discriminatory relief to more general considerations of welfare<sup>(1)</sup>. Thus the early 1900's witnessed the gradual re-examination of perspectives amongst middle class councillors on the nature and function of the Poor Law. The key question confronting them was how far the logic of adequate, but discriminatory relief could respond, not only to the pressure of urban distress but also the materialistic desires of a newly enfranchised working class.

Brand began his philosophy from the principle of social concern; the evils of urban overcrowding and public illhealth were being compounded by higher levels of unemployment and greater amounts of poverty<sup>(2)</sup>. To him the Poor Law, with its organisational abilities and its rateable power, was the obvious means for reducing the distress that flowed from the inner city slums. Thus Brand believed that Poor Law administrators should adopt policies that would actively

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1. RCPL(SE). Evidence of Miss L. Walker, on Dundee's social conditions given on 17/6/07; Departmental Committee on Medical Relief, Evidence of A. Wallace, on Govan Parish Council, given on 6/11/02
  2. PLM, 1896 p 217, 1899, p 173, "Address to Glasgow Poor Law Officers' Association", 1902 p 1, "Valedictory Address"; also his written evidence to the RCPL(SE): Appendix XXII



mitigate poverty and alleviate social need. He was prepared to admit in theory that that was "socialism", but with the problems larger parishes were having in containing and controlling the flow of claimants, the modern administrator could no longer rely on "sound principles", he had to achieve the best possible results in a practical manner. To him the first practical method meant ceasing to regard a claimant as a legal entity. The legal cocoon that had surrounded established practice prevented administrators reaching the roots of urban "pauperism", the social and moral circumstances of an individual's claim. Taking "the causes of pauperism into account" would be an important tool for discriminating amongst those that had neglected to maintain their own and their family's support.

Secondly, administrators like those in other welfare agencies, should seek the advice of "scientific" observers. Social and medical investigations could assist them to determine the existence and extent of the various social evils afflicting urban life. If the Poor Law was ceasing to be an active agency of social welfare, one that only needed to discriminate after an application for assistance had been made, and instead became actively interested in the regulation of social conduct, then it was necessary to differentiate who would be assisted, when they could be assisted and with what object in mind.

Embedded in this philosophy of social concern was the deep belief in moral propriety. The wilful destruction of public order and the neglect of good social conduct needed to be checked. To Brand those that were involved in such conduct, the prostitute, the loafer, the family deserter and the child beater required the active assistance of statutory agencies. Administrators should in the interests of

society and the individual's own development be given positive and punitive powers to prevent any breakdown in public order that this conduct would generate. Thus although the existing economic order did have dysfunctions which statutory welfare agencies had a duty to correct, Brand's perspective stressed that man was still able to make choices about whether to pursue a life of degeneracy or become a respectable citizen. The Poor Law's task was therefore twofold. On the one hand it was to punish far more rigorously those that actively created public disorder, the casual labourer, the venerably diseased and the neglectful parent, and to provide them with corrective and rehabilitative training. On the other, it was to extend its support more systematically for those that had, through no fault of their own, fallen foul of the economic system. Certain types of claimant, the widowed, the elderly and children requiring separation from their parents ought to receive care and treatment likely to restore them to full citizenship.

Although small numbers of labour representatives had been elected, four in Glasgow in 1901 (out of thirty-one) and two in Leith (out of eighteen), no Parish in the early 1900s had therefore had a distinct Labour group. After the December elections of 1907, all of that was to change. Labour clearly had a new spirit of organisation and attracted a much wider ideological commitment<sup>(1)</sup>. At each successive

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1. R G Brown, The Development of the Labour Party in Lanarkshire, 1890-1914. (MA Thesis, Edinburgh University, 1972); K Middlemass, The Clydesiders, (Glasgow, 1965); W M Haddow, My Seventy Years, (Glasgow, 1943) and The Labour Party in Scotland, (Glasgow, 1920). (Haddow was a Glasgow Parish Councillor, 1901-19); the Glasgow Herald, reports from the hustings, 4/12/01, 7/12/04, 3/12/07 and 4/12/07; J. Smith, Commonsense Thought and Working Class Consciousness: Some Aspects of Working Class Movements in Glasgow and Liverpool in the Early Years of the Twentieth Century. (PhD Thesis, Edinburgh University, 1981); A Trevis, The Development of the Labour Movement in Ayrshire. (M.Litt., Thesis, Strathclyde University 1980); Young, op.cit., Chapter 6

election, the labour representation grew, particularly in the poorer urban areas like Leith and in the heavy industrial mining areas of Fife and Lanarkshire. Indeed they even took control of the small Lanarkshire mining parish of Carmichael in 1910<sup>(1)</sup>.

Meeting in groups they now began to evolve a distinct set of policies. At Bothwell and Cambuslang, where they held about a quarter of the seats, they pressed for a flat rate payment of five shillings for all those over 70<sup>(2)</sup>. Labour councillors in Glasgow went further and argued for the introduction of fixed scales of relief<sup>(3)</sup>. In Leith, where they held a third of the seats, they attacked the use of test labour yards and punishment cells within the Poorhouse<sup>(4)</sup>.

These new councillors began their philosophy from a totally different perspective to Brand's; that public assistance was a right not a charity. To them a free market economy had increased the inequalities of wealth and instilled a belief that the industrial system was one of heartless struggle<sup>(5)</sup>. Unemployment, low wages and illhealth was the result. Those in turn created urban overcrowding and poverty. Further, they argued that moralising about personal behaviour and the discriminatory attention of inspectors and councillors merely served to underpin the faulty assumption that welfare institutions could improve conduct.

1. Forward, Scotsman and the Glasgow Herald, reports from the hustings, November and December, 1910 and 1913, ad passum; Carmicheal PCM, 14/12/10 and 24/5/11
2. Bothwell, PCM, 14/1/08; Cambuslang PCM, 22/10/08
3. See Chapter 8 for further details
4. Leith PCM, 23/3 and 21/4/08
5. Labour's philosophy and policy has been collated from the motions put forward to Glasgow, Edinburgh, Dundee, Bothwell, Cambuslang, Leith and Carmicheal Parish Councils, the evidence of James Stewart,



by deterrence and pecuniary treatment. Until a socialist State was reached, social policy by providing full maintenance for the "casualties" of the economic system should generate a sense of common humanity. Finally, although the break-up of the Poor Law was approved, any attempt to tie punitive conditions to the receipt of relief, as in the Minority Report, represented very peculiar socialism.

Labour had four specific proposals. Firstly, in order to avoid favouritism, injustice and wide variations in treatment, there should be fixed scales of relief. Next, middle class moralisms on how to bring up children should be abandoned by assuming that the mother was the best and most natural trainer of her children. (Because illhealth and some immorality would continue to exist in capitalist society, institutional care and boarding-out was still necessary). Thirdly, only through the proper medical and social classification of the indoor poor could stigma and demoralisation be avoided. Separate homes and institutions for the aged, the sick, the child and the epileptic was therefore necessary. Fourthly, the Poor Law until it was abolished should assist all necessitous cases, and that included the able-bodied. All funds for this service should come from the National Exchequer. None of these proposals, save for national funding were particularly radical. What marked them as distinctive from all others was

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a Glasgow Parish Councillor (and later Parliamentary Under-Secretary for Health in 1924) to the RCPL(SE), given on 5/6/07, C.H. Norman, op.cit., and Forward's Report of election manifestos in 1910 and 1913.

the commitment of the Councillors. No one could doubt that they wanted more welfare expenditure, more quickly and over a wider area than anybody else.

Thus the decade after 1900 witnessed not only the flowering of an assertive middle class philosophy of intervention, it also saw the emergence of a much more coherent and cohesive alternative doctrine, one that had its origins in the material needs of a less deferential working class. This therefore was a time of challenge, a time when administrators were increasingly forced to seek wider support for their policies and practices. If the "reformist" councillors were to succeed in persuading other councillors and the electorate of the utility of their policies, then twentieth century welfare would take on a far more directive and punitive form. On the other, if they were to fail, then because the Poor Law had become so contaminated by its association with adequate but discriminatory principles, the whole institution would be in immediate danger of dissolution by the refusal of the working class to accept its legitimacy.

The remainder of this Chapter will therefore look at the implementation of the "reformist" policy in the particular areas of unemployment relief, child welfare and medical care. It was in these areas that the three issues confronting the national debate, namely, the relief of distress, the public restraint of action and the regulation of family conduct, was the most severely tested in the struggle to retain the sole of the Poor Law. But first the wider context of Scotland's economic and Public Health performance has to be examined: they were to have important repercussions on the way local administrators perceived the problem of Poor Relief in a

more mature capitalist society.

By 1900 Scotland had reached the zenith of its industrial development. With new industries being established in the Midlands and South of England, Scotland's reliance on coal-mining, ship-building and heavy engineering had ceased to sustain and generate the employment levels of the past<sup>(1)</sup>. The effect of this alteration in economic power was soon witnessed in the greater numbers of casual labourers flocking to the larger urban areas, the cities and docklands. The Scottish capitalist had even less need for the unskilled, the partially fit and the elderly.

Urban areas had two special attractions for the casual labourer. Firstly, cheap or free accommodation, from common lodging houses to alley-ways was readily available. Secondly, there was a greater variety of public and charitable institutions to tap for any necessary doles and assistance. With the severe trade depressions of 1902 to 1905 and 1907 to 1909 exacerbating this trend, administrators were forced to re-examine both their appreciation of economic doctrines and their policy towards the unemployed.

Added to these problems of a deteriorating labour market were those of urban overcrowding and public illhealth<sup>(2)</sup>. The indifference shown in the 19th Century to the quality of working class housing declined very sharply as public health indicators showed little

1. Slaven, op.cit., Part 2; Campbell, op.cit., Chapter 3
2. Dundee Social Union, op.cit.,; A. K. Chalmers, "The Death Rate in One Appartment Homes", Proc of the Royal Philosophical Society of Glasgow, 1902/3, p 125; Gauldie, op.cit., Chapter 25; J. H. Treble, Urban Poverty in Britain, 1830-1914. (London, 1979) Chapter 8



signs of improvement. Indeed from the early 1890's the incidence of some respiratory and diarrhoeal diseases actually increased<sup>(1)</sup>. So too did the infant mortality rate. The characteristics of those most likely to suffer from these diseases was quickly discovered. In 1898, the Medical Officer of Health for Glasgow explained, "the increased diarrhoeal death-rate was almost wholly due to an increase in the deaths of children under five years of age"<sup>(2)</sup>. A third of all respiratory deaths occurred in the same age group. Although the decline in the infant mortality rate recovered after 1900, further analysis revealed that from 1870, the decline had almost solely been reserved for those over three months of age. Moreover those who lived in more affluent homes had the same probability of having a child under that age dying as those from poor homes. Even more startling was the discovery that diphtheria deaths were inversely related to inferior housing. Those who lived in the worst slums had a better chance of surviving an attack of this disease than those who did not. The Medical Officer concluded by arguing that slum living with its continued exposure to milder forms of the disease actually gave its inhabitants a degree of immunity. Good health was therefore not the exclusive attribute of better social circumstances and those who did live in more comfortable surroundings had little option but to seek out and eradicate all forms of disease.

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1. A.K. Chalmers, op.cit., Chapters 13-17. See also Appendix 7B
  2. *ibid.*, p.191

Thus interest in the links between poverty and disease was re-awakened, for as Glasgow's Medical Officer argued,

"It has been generally accepted that the decreasing birthrate was being compensated by an increased vitality in children born. Fewer, but healthier children, was current commentry, which enabled the decline in the birthrate to be accepted with complacency". (1)

The examination of this link began in the urban areas because it was there that the improvements in health had not occurred. To many administrators it seemed the investment by the towns and cities in public health had been to no avail.

All of this, the deterioration in the labour market and in public health had a profound effect on the Poor Law. Many more, now on the fringes of the labour market and suffering from chronic diseases, like T.B. and bronchitis, sought relief. During the 1900's Govan Parish saw applications for poor relief increase by about 80%. The greatest pressure came from ordinary male applicants and although on any one day their numbers in the poorhouse went up by only 20% the actual numbers being admitted throughout the year increased by over 100%. Leith witnessed a similar phenomenon. During 1898, 370 ordinary male applicants had been sent to the poorhouse with about 125 there on any one day. By 1909 this had increased to 1280 and 240. All Poor Law commentators noted that the daily numbers of ordinary men in poorhouses were increasing and, what

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1. *ibid.*, p 197

was to them far worse, there were more going "in and out"<sup>(1)</sup>. Within these statistics, what Glasgow's Poorhouse Governor found most worrying was that whereas in the early 1900's the majority of these men were over forty, in the latter part of the decade the majority were under forty, in the prime of their working lives<sup>(2)</sup>. The administration of the Poor Law was simply not geared to containing and controlling the needs of such a large body of workers seeking to eke out a living on the margins of the labour market.

One of the first public reviews of the general problem of the casual unemployed labourer came at the end of 1898 when Professor Jones of Glasgow University indicated that voluntary effort to maintain labour colonies was not sufficient. The numbers of men requiring assistance was growing and he urged officials and politicians to,

"take more seriously the problem of the frightful leakage that was going on and which would go on more and more as the industries became more organised". (3)

The general tenor of his statement did not go unheeded. Late in 1899 the three Inspectors of Poor for Edinburgh, Glasgow and Govan organised a conference on unemployment, vagrancy and alcoholism. In a memorandum after it they recommended that parishes ought to have extra power to deal more effectively with those that sought poor relief<sup>(4)</sup>. In Glasgow, they argued, magistrates had

1. PLM., p 253. Article by J Jeffrey, a Board Clerk, reprinted from the Scotsman
2. Glasgow PCM, 17/2/04 and 24/3/09
3. PLM, 1899, p 53
4. Edinburgh PCM, 10/11/99



been able to use the 1895 Local Police Act to commit vagrants to a poorhouse for seven days, Although the numbers who had been committed remained small (vagrants had to have an established Poor Law record) there was in their view no reason why the principle should not be more broadly applied<sup>(1)</sup>.

Thus in early 1902, the three major parishes agreed to promote a Bill which would allow for increased powers of detention<sup>(2)</sup>.

However Glasgow City Council soon objected; it did not think it proper that any unemployed person., for whatever reason, should be dealt with by the Poor Law. After it became obvious that the Scottish Secretary, Lord Balfour also objected the Bill was withdrawn. Another Bill was soon in preparation and this time the three parishes obtained the approval of virtually all other parishes for its contents<sup>(3)</sup>. It allowed for up to three months compulsory detention if a vagrant had been chargeable three times in the previous six months. This was a radical departure from existing policy. However Lord Balfour's general objection to the Bill's principles remained. As a true conservative he felt that although "the law and administration of [the system] was not easily defensible in logic", hasty action to meet a new exigency might lead to the destruction of other traditional principles<sup>(4)</sup>. In particular any powers of compulsory detention or removal worried him because if a parish council abused them, "it would be a serious inroad

1. ibid., 14/1/01; see also Motion's evidence to the Departmental Committee on Vagrancy
2. Edinburgh PCM, 14/3/02 and 30/5/02; see also Motion's evidence to the Departmental Committee on the Law Relating to Inebriates. Cd 4767 (pp 1909 Vol XXVI): The Detention of Poor Persons (Scotland) Bill. First Reading, 24/7/02
3. Edinburgh PCM, 14/3/03, 1/5/03 and 30/5/03; Detention of Poor Persons (Scotland) Bill, 1903. First Reading, 20/3/03
4. RCPL(SE). Evidence given on 14/5/07

on the liberty of the subject". Thus the reformist, but somewhat repressive Poor Law officials found the principles of conservatism had destroyed their main strategy for change.

If they were not to deal with the general unemployed and vagrant who plagued their poorhouses then administrators still felt action was possible for particular groups who could be more readily classifiable. One such group was inebriates. Here it was possible to create powers that could be couched in medical and procedural terms<sup>(1)</sup>. Administrative action could therefore always be under review. However again it proved impossible to find a strategy that overcame hostility towards Poor Law involvement in the detention of any but the most hardened cases<sup>(2)</sup>.

The origins of the 1905 Unemployed Workman's Act was discussed in the last chapter and it was noted that it was bound to have a profound effect on Poor Law thought. Although parishes could be represented on Distress Committees and be involved in home investigations, apart from Glasgow, there is little evidence of widescale parish involvement in the ordinary administration of the Act<sup>(3)</sup>. However administrators now had to recognise that the able-bodied had obtained a right to publically financed relief<sup>(4)</sup>. This puzzled many who thought the Poor Law's interpretation of political economy was sacrosanct. One argued that it cut across "scientific

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1. J. Carsewell, "The Working of the Inebriate Act", Journal of Mental Science., 1901, p 658
  2. PLM, 1904 p 41, J R Motion, "Pauperism and Vagrancy"; Report by the Inspector for Scotland Under the Inebriates Act, 1908. Cd 4682 (PP 1909 Vol XXIV)
  3. RCPL(U). Evidence of C. C. Ellis, the Board's Clerk responsible for the Act's administration, given on 14/1/08.
  4. Glasgow PC Miscellaneous Prints, 1910. "The Distress Committee of

principles"<sup>(1)</sup>.

The operation of the Act soon demonstrated the weakness of traditional relief schemes for the unemployed in Scotland. By providing assistance predominately in the form of relief work, the real needs of many unemployed were often ignored. A large number of skilled men, Pringle reported to the Poor Law Commission, refused such relief because they felt that breaking stones was beneath their dignity<sup>(2)</sup>. Moreover the distress was often of so short a duration that it was simply not feasible to acquire vast numbers of projects to meet all the need in one area. The scheme at best could only work for those requiring continual relief; those already on the margins of the labour market because of their lack of skill or illhealth. This is indeed what occurred. Permanent schemes came to dominate Distress Committee minds; the two most notable being Glasgow's at Palacerrigg, Cumbernauld and Edinburgh's at Murieston, MidCalder<sup>(3)</sup>. By the outbreak of the war the Act had achieved very little and many of the questions about meeting the needs of the unemployed at a local level remained unanswered.

By 1910 "reformist" administrators had singularly failed to come to grips with the vast increase in the use of the poorhouse by men on the fringes of the labour market. Both the logic of their established philosophy and their class position convinced them that they ought to pursue a strategy which stressed converting the

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Glasgow Report, 1909".

1. PLM, 1906, p. 8

2. Pringle, op.cit., p 36

3. The Annual Reports of the Local Government Board, 1906-14, ad passum



Poor Law into an active instrument of social control. However, in a period of more popular politics this was a rather blinkered view of how welfare should develop. The growing material needs of the urban working class, with their increasing and more severe bouts of unemployment had slowly undermined their belief in the principles of self support and the utility of punitive forms of statutory assistance. As Keir Hardie told the parish council representatives in 1905 the working classes wanted a new deal for unemployment relief, one that did not involve either the restraint of an individual or their discriminatory treatment. Work tests, poorhouse relief and labour colonies would not satisfy the growing frustration they had in maintaining and improving their standards of living.

With both Conservative and Liberal Governments attempting to resolve this issue, firstly by the 1905 Unemployed Workmans Act and then in 1911 by Unemployment Insurance for selected trades, Poor Law administrators found themselves being pushed from the forefront of statutory welfare into a more subordinate role<sup>(1)</sup>. Moreover, it was a role that denied them access to influence and power. After the failures of 1905 over poorhouse detention for the casual unemployed and in 1909 over the inebriate, the existing philosophy and practice was clearly no longer perceived by the Board to be legitimate enough to allow for further developments. With its

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1. Harris, op.cit., Chapters 5 and 6.

general policy towards the unemployed in tatters and with new powers to allow the unemployed the right of public relief, "reformist" administrators now had to contemplate the prospect of the unemployed believing they had a right to demand relief.

The 1890's had seen a steady awareness of the problem of children living in unsatisfactory homes on the outdoor roll. This, coupled with the new Child Cruelty and Infant Life Protection Acts had lent support to those who felt that the Poor Law should deal with any child from an unsatisfactory home. Gradually, therefore, the number of children separated from their parents increased. However that began to pose a major administrative problem for officials. Many felt that these children, because of their "unsatisfactory" homes, were both maladjusted and lacking in self control. That in turn meant there was little prospect of parishes being able to board them out. Few foster parents would want filthy, undernourished children lacking in even the most rudimentary elements of self discipline. This was therefore the crux for those "reformists" attempting to establish a credible child welfare policy. It was no use directly intervening and regulating family conduct if the public authority itself was unable to develop more specialised and more child centred forms of care. The electorate would not really relish the prospect of the children of "non pauper" families, however bad they were, being sent to a poorhouse designed and managed for the control of "paupers". The inappropriateness of the latter was little better than the immorality of the former.

By 1900, the inspectors of poor in the larger parishes were beginning to understand that this particular problem did require a reorientation

in policy. Dundee's Inspector urged his Council to introduce some form of probationary training in a separately established children's home<sup>(1)</sup>. The Parish at first agreed but then put the issue into abeyance. Beset by increasing numbers of casual labourers and chronically ill demanding poorhouse relief it had little energy to devote to expanding child welfare. Only in 1915 when the problems of improving the structure and medical provision of the Poorhouse were solved did they agree to a separate children's home<sup>(2)</sup>. Dundee's experience showed very clearly that a parish could be so overwhelmed by conflicting demands on their resources that the "reformists" found it difficult to persuade other councillors to give child welfare any priority.

Although equally pressurised, Govan was less reluctant to consider the issue. By 1901 it had firmly decided to have a separate children's home (in the country) and two isolation wards within their Poorhouse<sup>(3)</sup>. It was also agreed to appoint a lady inspector to take over the duties of the existing children's inspector. Govan therefore had broken new ground, but there is little evidence to suggest it capitalised on its development and created further forms of child care. It, like Dundee, found the other pressures on its services too great.

Edinburgh was another Parish that initially prevaricated. It took two years of hard discussion and argument from the lady

1. Dundee PCM, 4/2/01 and 12/9/01, "Memorandum on Children on the Outdoor Roll".
2. ibid., 23/4/00, 26/8/01, "Report of the General Superintendent of Poor", 29/5/15.
3. Govan PCM, 11/4/01 and 23/7/01; PLM, 1900, p 360, "Children Under the Poor Law in Govan". The Home was formally opened on 18/11/03.



councillors to persuade the Parish to appoint a specialist nurse for the Poorhouse Children's ward<sup>(1)</sup>. However, with the Paton Report on the diet of the working classes and MacKenzie's Report on schoolchildren for the Royal Commission on Physical Training showing that 30% of Edinburgh schoolchildren were undernourished, the Parish felt compelled to act<sup>(2)</sup>. Within a few months of the latter's Report it had conducted a survey of its own. The results shocked and alarmed the Councillors<sup>(3)</sup>. The most vulnerable group were children whose drunken parents had been struck off the roll for refusing poorhouse relief. Arguing now that it was important to prevent any further fall into the "degeneracy of drink, lunacy and vagrancy", the Parish quickly reviewed all the more recent of these cases and offered them outdoor relief under greater supervision<sup>(4)</sup>. A special feeding scheme under a newly appointed lady inspector was established and by the end of 1904, four hundred children were being fed daily at approved restaurants<sup>(5)</sup>. But hand in hand with this came a much harder attitude towards the parent. Those who had deserted their family were much more ruthlessly pursued. Posters with their full description appeared on public notice boards and rewards were offered to anyone who could supply information leading to their discovery<sup>(6)</sup>.

All that had been done so far in the name of child welfare had cost very little. However Edinburgh's main problem in the early 1900's

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1. Edinburgh PCM, 8/12/97, 21/2/98, 7/3/98 and 9/5/99.
  2. D. N. Paton (et al), A Study of the Diet of Labouring Classes in Edinburgh. (ND Edinburgh)
  3. Edinburgh PCM, 14/12/03 and 21/12/03
  4. ibid., 14/1/04
  5. ibid., 10/5/04, 7/12/04 and 31/3/05
  6. ibid., 9/1/05 and 3/3/05

was similar to Dundee's, the trade depression and the general increase in chronically ill meant their Poorhouses were fully taxed. A Report by a number of Councillors at the end of 1904 called for a separate Children's home, but its cost on top of the other capital improvements in Poorhouse provision ensured its narrow defeat<sup>(1)</sup>. Nothing more occurred until the Poor Law Commission Report. With its specific recommendation that "the general poorhouse be no longer recognised as a suitable" place for children, Edinburgh like the other larger parishes became acutely embarrassed. Soon after its publication, the Parish agreed to build a separate children's home<sup>(2)</sup>. Additional resources, including extra training nurses and the employment of an ophthalmist were also approved. Edinburgh was therefore interested in promoting child welfare, but like Dundee and Govan it had found it difficult to give it any priority.

However it was in Glasgow that Brand's philosophy of reform was the most severely tested, for it was there in the field of child welfare that so much of it was actually implemented. At the end of 1898, when the old City and Barony Parishes had been amalgamated, the new Parish had about 350 children in the Poorhouse to consider at any one time. Half were classified as healthy, a third were infants and the remainder sick. In late 1900, under the guidance of Brand and their Inspector of Poor a new scheme for institutional

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1. *ibid.*, 10/3/04, 21/3/04 and 5/9/05
  2. *ibid.*, 16/10/11, 18/12/11 and 1/4/12. The Board's formal approval was given on 23/3/12

child care was presented to the Council<sup>(1)</sup>. Firstly, all children (except the newly born) were to be sent under the supervision of trained nurses to a separate block at the New General Hospital at Stobhill. Secondly, expectant mothers were to be sent to either the District Hospitals or the Poorhouse, depending on their character. (If they remained chargeable, their children were to be sent on to Stobhill). Thirdly, all poorhouse children who could not be sent to school were to be educated by a specially trained teacher. Fourthly, those requiring probationary care and the temporary chargeable were to be taught simple tasks like sewing, gardening, tailoring and shoemaking. The proposals were quickly accepted and were duly implemented.

Over the next decade the Parish saw further refinements to the system. This in part stemmed from its very success. More children were pulled into the Poorhouse because outdoor officials felt that children could now receive more appropriate care. More parents applied because they saw the availability of trained nurses and a children's doctor<sup>(2)</sup>. Thus by the end of the decade twice the number of children were being treated indoors. Yet this very success produced a number of problems. Firstly, the Poorhouse accommodation became overtaxed. As early as 1903, some children had to be boarded-out in convalescent homes in Rothesay and Lanark<sup>(3)</sup>. Secondly, the Board began to object to

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1. Glasgow PCM, 1/9/99, "Report on Indoor Accommodation" by J Brand and 19/10/00, "Memorandum on Children who have become Chargeable" by J. R. Motion; see also Appendix 5A
  2. see the comments made by A. MacGregor on his discussions with Motion in Public Health in Glasgow (1905-46). (Edinburgh, 1966). Chapter 9; also the reports from early medical staff in O. M. Watt, Stobhill Hospital. (Glasgow, 1972)
  3. Glasgow PCM, 26/11/03, "Memorandum on the Children's Department of Stobhill Hospital".



the Parish offsetting the cost of care by using the Medical Grant to cover the nursing of healthy children<sup>(1)</sup>. After some terse correspondence, the Board relented and allowed it to apply to all children under two, whether sick or not. However the basic problem of providing adequate accommodation and staffing to meet the growing needs of the children remained.

By 1907, in response to this a number of councillors proposed that the Parish should establish a special convalescent home for the less physically fit<sup>(2)</sup>. But like Edinburgh and Dundee, the other councillors balked at the prospect of embarking on further capital projects so soon after they had improved their general hospital provision. Instead it was agreed that any such children should be sent on the Fresh Air Fortnight Scheme, a charity which took slum children on holiday down the Clyde. Nevertheless the congestion and the inadequacies grew and the following year the Inspector felt compelled to reiterate the call for a special home. This time he introduced a new aspect to the policy. He stated quite categorically,

"The whole order and control of the house would be removed as far as possible from institutional life". (3)

The next year, with a belief that the new Children's Act would increase the numbers still further, the Parish agreed to open a training school for girls at Dunoon<sup>(4)</sup>. There under the supervision of a trained nurse, the girls would be introduced to

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1. *ibid.*, 24/2/05 and 27/4/05

2. *ibid.*, 19/4/07, "Memorandum on Indoor Accommodation" and 16/7/07.

3. *ibid.*, 18/8/08, "Report on the Children's Department at Stobhill".

4. *ibid.*, 2/3/09

domestic service.

The Poor Law Commission's Report added further impetus and the Inspector promptly recommended that a home for those unlikely to be self supporting ought to be established<sup>(1)</sup>. Elaborating the "reformist" philosophy, he argued that boarding out did not meet these particular children's needs. They required far greater and much more professional care. There was little opposition from the Parish and a Home at Dunclutha, Kirn was opened in 1911<sup>(2)</sup>.

Amongst its rules, it allowed the children clean underclothing and stockings once a fortnight and a fresh bath with a separate towel once a week<sup>(3)</sup>. Boys were taught gardening, joinery and other traditional male trades while girls concentrated on more domestic chores. Recreational activities, like flag signalling, drilling, marching, singing, dancing and learning first aid were also pursued. Morning and evening prayers, by the Matron, were complemented by weekly religious services.

Thus Glasgow, as far as institutional support for children was concerned had pursued the "reformist" strategy beyond either Dundee, Govan or Edinburgh. The Councillors had altered their perspective and had indicated the inappropriateness of general Poor Law provision for "neglected" and "needful" children. In this they had crossed the divide between the passive control

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1. *ibid.*, 25/8/10

2. *ibid.*, 19/12/11

3. *ibid.*, 20/2/12, "Memorandum on the Employment of Inmates at Dunclutha House, Kirn"; Glasgow PC Miscellaneous Prints. 1912, "Rules and Regulations of Dunclutha House, Kirn".

of these children and asserting that such children required more than sustenance. Only proper training in domestic skills through as "normal" a family environment as possible could "rescue" them from the abyss of slum and degenerate living. That in itself could only occur in the much more specialised, controlled and professional atmosphere of a "Home". Children who passed through this system of care would in their view be far more likely to become respectable and "moral" citizens, useful if not to society, then certainly to themselves.

Yet the Council acknowledged that it was not simply a question of children who required separation from their parents, the same line of reasoning also applied to those children whose parents, although honestly making an effort to maintain a "moral" home had difficulty in doing so satisfactorily. Thus the Parish also sought to increase the amount of support and supervision available to those on the outdoor roll. In 1900 at the same time as indicating the desire for institutional support the Inspector of Poor also stated,

"That a lady with nursing experience be now included in the Department for special visitation and inspection of particular homes and children, where the services of a lady will be appreciated". (1)

Shortly afterwards a lady with a medico-psychological certificate (that is someone qualified to look after the insane) was appointed<sup>(2)</sup>.

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1. Glasgow PCM, 22/10/00, "Memorandum on the Administration of Boarded-Out Childre and Lunatics".
  2. *ibid.*, 7/1/01. It is not known when Govan made their appointment, so it is likely that Miss Jeanie Thomson was the first "qualified" social worker to be employed for the care of children by a public authority.



Two years later, in 1902, a circular from the Board suggested that women with children, particularly widows, should have an increase in the amount of assistance given to them to offset their need to undertake part-time work. The Board felt that this would reduce the amount of parental neglect inherent in the traditional Poor Law practice of paying low benefits to those women that could work. Glasgow were quick to establish a special roll for this group and recruited another lady inspector for the purpose of making home visitations to offer feminine advice and support<sup>(1)</sup>. Despite this new move, it was obvious to the Council that the amount of time available for one official was far too limited for the number of cases. The Inspector was particularly concerned about widows with what he called "depraved habits", who had no idea of cleanliness, the repair of clothing and the purchase and preparation of food. Unless additional support was given there could be no alternative but to separate the children and board them out. A leaflet was subsequently published for them and other mothers on hints about home management<sup>(2)</sup>. The Council also sought to enrol the services of the clergy and other voluntary agencies to provide more domestic support. However this latter innovation apparently did not work satisfactorily, and at the instigation of one of the Lady Labour Councillors, more thought was given to these women<sup>(3)</sup>. Although the clergy and agencies were again contacted, it was agreed that the mainstay of control should be tighter reviews of the home

1. ibid., 21/1/03 and 7/8/03, "Memorandum on Widows and Children". The Board issued their circular on 5/6/02.
2. ibid., 19/12/05, "Memorandum on Widows with Children", 14/2/06; Glasgow PC Miscellaneous Prints, 1905-6, "Hints about the Management of the House and the Children".
3. Glasgow PCM, 30/10/08 and 17/5/09, "Memorandum on Women with Children

circumstances by the more senior inspectors. A further refinement came in 1910 when day nurseries were established for those women who could usefully go out to work to augment their allowances<sup>(1)</sup>.

Thus Glasgow had gone beyond the other three larger parishes and developed a distinctive form of child welfare. Only one other parish, Paisley, attempted to match Glasgow's developments. By 1914, it had established two homes at Largs for separated and convalescent children and other in Paisley for sick and expectant mothers<sup>(2)</sup>.

But there the Parish soon found to its cost that it was little use developing these services in isolation from others. The public still regarded it as Poor Relief and few children beyond those normally catered for by the Poor Law actually used the new homes.

Parish Councils had therefore encountered considerable problems in developing a credible child welfare policy. These problems were further exacerbated by the new Children's Act. Although inspectors of poor had been designated the local agent for the implementation of the 1897 Infant Life Protection Act, its weak powers meant that relatively few cases of "baby farming" were prosecuted<sup>(3)</sup>. The majority of mothers could easily evade the Act by altering the method of payment and the prospective foster-parent simply avoided having too many children in care at any one time. Both Leith and Glasgow had tried to initiate prosecutions,

1. *ibid.*, 17/1/10

2. No minutes for Paisley exist between 1906 and 1914. The information here is collated from the Paisley Daily Express, 30/7/08, 30/6/10, 29/9/10, 27/4/11, 28/11/12 and 27/11/13, and the PLM, 1914, p 197

3. Edinburgh PCM, 9/12/97; Glasgow PC Miscellaneous Prints. 1912. R. P. Lamond (Law Agent) "Memorandum in the 1904 Children's Act and the 1897 Infant Life Protection Act"

but had comparatively little success<sup>(1)</sup>. Edinburgh did not bother to officially appoint its Inspector as a Visitor until 1906<sup>(2)</sup>. All of that changed with the 1908 Children's Act.

The new Act increased the age limit for inspection to seven, included any child received by a foster-parent and stated that (to avoid prosecution) any "brokerage" had to be completed within forty-eight hours<sup>(3)</sup>. After that had been completed, the foster-parent's home had to be inspected and approved by the Parish. It could be withdrawn at any time. The Act, apart from leaving the "handy woman" midwife free from control appears to have given all round satisfaction. With the Board insisting on parishes immediately considering the administration of the Act, the larger parishes quickly extended the duties of their existing lady inspectors or other children's inspectors to cover the new provisions<sup>(4)</sup>. Glasgow, after a year of using their existing staff, appointed an extra three lady inspectors<sup>(5)</sup>. The smaller parishes appointed their inspector of poor, usually at an extra fee for every child and home that was monitored<sup>(6)</sup>. From a few hundred children registered with parishes in 1909, the numbers rose to nearly 5,000 in 1914<sup>(7)</sup>. Foster-parents were visited on average once every three months. To ensure they understood the Act had bite, parishes prosecuted fairly frequently in the early years. Thereafter they were reduced

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1. Leith PCM, 12/1/04; Glasgow PC Special Prints. 1924, "History and Organisation of the Criminal Department".
  2. Edinburgh PCM, 21/5/06
  3. Glasgow PCM, 12/12/09, "Memorandum on the Children Act and Prosecutions"; The Children Act, Ch 12 (8 Edw. 7. 1908)
  4. for instance, Edinburgh PCM, 4/3/09; Leith PCM, 14/9/09
  5. Glasgow PCM, 1/3/10
  6. for instance, Bothwell PCM, 14/10/09 and 11/2/12; Cambuslang PCM, 2/6/09; Kilbirnie PCM, 12/4/09; Inch PCM, 2/11/09, Dalkeith PCM, 4/5/09; Beath PCM; 18/5/09 and 20/8/12; Uphall PCM, 3/6/09.
  7. see Appendix 5B



to what parishes felt were the most blatant cases<sup>(1)</sup>

The Child Cruelty Acts from 1889 to 1904 had also increased the duties of a Parish. However the onus had been on other agencies, notably the Society for the Prevention of Cruelty towards Children, to initiate action. Many parishes had wavered on whether or not to undertake a more strenuous "policing" rôle of their own. To assist and provide long-term sustenance might have resulted in an auditor's objection; it would have run counter to the principle of no relief to the families of the able-bodied. Again the 1908 Act changed all of that.

It did not specifically overturn the principle, but it did say that the parish was "to be active" in pursuing negligent parents. Moreover neglect was given an explicit and far wider meaning. It now covered incidents where a parent had failed to provide for their children, or knowing that they could not provide, had failed to apply for Poor Relief. The lack of proper clothing, forcing a child to beg or using the home as a brothel all came under the new definition of neglect. Parishes therefore had the legal and financial power, through the rates, to commit children to its own or another's care.

With this alteration in the Act's intentions, administrators understood there had been an important shift in policy. The

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1. Glasgow PC Miscellaneous Prints. 1910. "Memorandum on the Children's Act 1908"; Glasgow Mitchell Library Special Print. January 1911, "Memorandum regarding Procedures adopted by the Parish Council of Glasgow and its Inspector of Poor of the Children's Act, 1908"; Edinburgh PCM, 22/9/09 and the Annual Reports of the Inspector of Poor contained within the Minutes.

emphasis was on child care and Glasgow's Chief Criminal Officer summed up the general practice of parish council's by stating,

"We do not stop to inquire whether a man is able-bodied, we look first to the interests of the children". (1)

Any concern that a parish council had over its legal duties was soon dispelled. Early in 1910 an able-bodied man, who had neglected his children, was successfully prosecuted for failing to apply for Poor Relief on their behalf<sup>(2)</sup>. The Sheriff ignored the man's pleas that he could not obtain assistance other than by becoming a "pauper". Thus with these new powers, what Barony had begun rather tentatively in the 1880's, now had full legal backing. A parish could separate a child from a parent and have a Court Order declaring that the parent would be denied access until it was satisfied of (their) appropriateness to raise a family. However, under the Act, parishes could now press for much more severe punishments, up to six months hard labour, instead of only thirty days<sup>(3)</sup>. They were not slow to do so. An extra inspector was attached to Glasgow's Criminal Officer Department to pursue offending parents. Other large parishes similarly re-arranged the duties of the criminal officers. In Glasgow alone, the number of prosecutions increased from less than a hundred per annum in the early 1900's to about two hundred and fifty after 1910. A quarter of all those prosecuted received at least three months imprisonment. In part all of this activity reflected parishes desires to tighten

1. "The History and Organisation of the Criminal Department", op. cit.
2. Glasgow PC Miscellaneous Prints. 1912. "Supplementary Memorandum on the Children's Act, 1908". The Case at Glasgow Sheriff Court was heard on 7/3/10.
3. *ibid.*, 1913, "Wife and Family Desertion; an Inquiry into its Causes", Special Prints, 1919-20, "Suggested Amendments to the 1908 Children's Act by the Criminal Officer's Department".

the controls over family deserters. The 1908 Act, by widening the definition of neglect, gave them more scope to pursue a punitive strategy.

From 1900 to 1914 there had been a progressive deepening by parish councils of investment in child welfare. But problems remained. One of them surrounded the propriety of assisting "non-pauper" children. Even as late as 1915, one official could comment that it was interfering with God's law of the inviolate nature of family relationships<sup>(1)</sup>. Administrators, he felt, should revert back to the old principles of character reformation, stigma and a reduced role by public authorities in welfare. A second problem lay in the fact that many administrators saw the 1908 Act as an adjunct to their powers of prosecution. They expected their officials to combine a welfare approach to child care with a much more punitive one against "neglectful" and "immoral" parents. Thus an inspector's attention remained focussed on the legal aspects of control and given that the powers of the 1908 Act appeared so analagous to the "searching out" ones demanded by the Minority Report, it was little wonder that some felt that their activities did not break down the barriers in the electorate's mind about the nature and function of the Poor Law<sup>(2)</sup>.

Lastly and perhaps more importantly, the "reformist" philosophy itself had shown certain contradictions in practice. Not only

1. PLM, 1915, p 1, "Children under the Poor Law", signed by W.S.A..
2. ibid., 1914, p 66, "The Working of the Children's Act in Glasgow" (unsigned) p 142 and 177, "Children and the Poor Law", by J. R. Motion; for a comment by a Councillor, see, Glasgow PC Miscellaneous Prints, 1912, "The Child Under the Poor Law" by J. J. Cunningham



was there still an attachment within it to established practices of discriminatory and punitive treatment, but there was also a continual difficulty in persuading other middle class Councillors that the capital expenditure required to fulfill the child welfare policy was absolutely essential<sup>(1)</sup>. Faced with other seemingly more intransigent problems, like unemployment relief and the chronically sick in poorhouses, the majority of these councillors could not develop enough enthusiasm to give child care any priority. As a result no further significant developments could occur and the structure of child welfare provision lay more or less ossified until it was formally decided to abandon the Poor Law in the 1940's.

It has already been noted in Chapter Three that the 1890's saw the emergence of a fully fledged Public Health System and the further extension of the voluntary hospital movement. Chapter Four has also indicated that the Board began to develop a much closer system of monitoring implementation in the statutory sector. "Reformist" councillors were not slow to acknowledge these movements and indeed embedded in their strategy of reform was a belief that more active care for the "pauperised" sick was a necessity. However there were two important developments which added pressure on parish councils to develop this care and the first of these concerned the gradual extension of hospital services.

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1. MacKenzie, The Carnegie Trust Report, Chapters 5 and 6

In the voluntary sector virtually all hospitals began to undertake large scale capital improvements. Some were rebuilt, others had new wings added, installed x-ray departments or better laboratory facilities<sup>(1)</sup>. In the Public Health Sector, the Board had similarly pressed local authorities to develop their isolation hospitals<sup>(2)</sup>. Thus the early years of the century witnessed an increase in both the number and quality of beds available. In consequence, many more inpatients were treated<sup>(3)</sup>. Both the medical profession and Poor Law administrators soon arrived at the same conclusion, the public had come to expect hospital treatment as the norm for a whole variety of surgical and medical illnesses<sup>(4)</sup>.

The general increase in medical investment added a second pressure. There were many more doctors, especially in the Public Health Departments, willing and able, not only to examine local trends in Public Health itself, but what actually determined good health. The first moves came with the Paton investigations into working class diets<sup>(5)</sup>. Other investigators then examined particular items of diet, like children's milk consumption<sup>(6)</sup>. Later specific medical problems, like rickets and defective eyesight came under observation<sup>(7)</sup>. By the middle of the decade, survey work had been sufficiently elaborated to allow heights and weights to be correlated to the degree of urban overcrowding<sup>(8)</sup>.

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1. for instance, Greenock Infirmary, a children's convalescent home; Glasgow Royal Infirmary, a new building costing, £109,000 in 1909; Dumfries Royal Infirmary, a new x-ray department; Dundee Royal Infirmary, a new children's department and sanatorium; developments in Edinburgh Hospitals are reviewed in the British Medical Journal, 1927, p 573, "Edinburgh Medical Institutions", and Glasgow ones in, *ibid.*, 1922, p 884, "The Glasgow Hospital System".
  2. Russell, *op.cit*
  3. see Appendix 3E
  4. Departmental Committee on Prisons (Scotland). Cd 219 (PP 1900

The critical effect of these surveys lay not just in their advance of medical science and in the techniques of survey investigation, but in their impact on politicians and officials in the public sector. Every major city and many towns had someone during that period conducting a survey into local health care. Thus Poor Law administrators found themselves in an invidious position. To have ignored their results might have led others to criticise them for their lack of understanding about urban congestion and distress. Further, not to have considered them before embarking on any new policy would have been seen by many as a refusal to come to terms with the increased sophistication of social knowledge. In practice, of course, the "reformists" were only too willing to seize upon the new knowledge, because for them it had become important to persuade the electorate that the parish council did have serious administrative problems in containing and controlling the flow of urban distress. The key question then, was not any unwillingness to consider the results of survey work, but in the nature

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Vol XLII) evidence of Dr D. J. MacKintosh (Glasgow Western Infirmary) given on 14/12/99; Departmental Committee on Medical Relief. Appendix III. Dr J. M'c. Johnston, "State Provision for the Care of the Destitute Sick", and the evidence of A. Ferrier, Inspector of Poor, Edinburgh, given on 7/11/02.

5. Paton, op.cit
6. M Armour, "Milk Depots for Infants", Journal of the Royal Sanitary Institute, 1904, p 699 (deals with Leith)
7. W. E. Foggie, "Notes on Rickets in Dundee", Scottish Medical and Surgical Journal. 1905, p 231; W. B. I. Pollock, "The Eyesight of Schoolchildren; being a record of the Examination of over 3,000 Schoolchildren", Proc. of the Royal Philosophical Society of Glasgow, 1905/6, p 93.
8. W. L. MacKenzie and A. Foster, The Physical Condition of Children Attending the Public School of the School Board of Glasgow, Cd 3637 (PP 1907 Vol LXV); a number of other works were later edited by T N Kelynack, Defective Children (London, 1915)



of the medical topics generated. In the field of Poor Law institutional care there were two which soon dominated discussion; the first concerned the improvement in the quality of indoor life and the second, the development of more specialised medical services.

The first of these can be illustrated by looking at improvements in poorhouse diets. Chapter Three has indicated that in the 1890's there had arisen some uncertainty about the nutritional value of the old 1850 diet. The Board however, had decided not to withdraw it. Instead it had preferred to suggest a new scale and leave it to parishes to decide which was best. As a result many parishes kept to the old scale. Leith preferred to introduce only some minor modifications<sup>(1)</sup>. Indeed so heated had been the discussion on the propriety of introducing the alterations that some Councillors demanded that the Board ought to justify why a working inmate should receive four ounces of boiled meat a day instead of the previously agreed three<sup>(2)</sup>. At Dundee, the Parish on refusing to introduce the new scale, argued that everyone including the inmates, were happy with the old one<sup>(3)</sup>. Unfortunately, soon after the decision, the Poorhouse was engulfed in an outbreak of scurvy<sup>(4)</sup>. One inmate, an epileptic, died. The Medical Officer had to quickly introduce fresh meat, milk, raw cabbage and lime juice, a diet far in excess of the Board's new scale.

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1. Leith PCM, 12/3/98

2. *ibid.*, 7/5/02, 27/5/02 and 29/5/02

3. Dundee PCM, 24/3/98

4. Paper submitted by Dr L. S. Sandeman to the Departmental Committee on Medical Relief

These scandals were soon eclipsed by an even bigger one. In 1899 the Prison Board had commissioned an inquiry into Prison diets. Their medical consultant, Dr J. C. Dunlop, undertook a comparison of institutional diets and concluded,

"Compared to the Scottish prison dietaries ... poorhouse dietaries appear to be of smaller nutrient value. That this should be so is anomalous, as no reason can be advanced why rogues in prison should be better fed than the unfortunate paupers in the poorhouses". (1)

Two years later after conducting a survey of parochial asylum diets he made more detailed recommendations in which he suggested,

"The more frequent causes of monotony of feeding appear to be the excessive use of porridge and unvarying boiling of beef. Porridge and milk is doubtless splendid food and its use should be encouraged in all institutions, but two exclusively porridge meals daily are on account of their monotony to be condemned. The unvarying boiling of beef is a fault that should be easily rectified ... tea is found to be the only condiment used habitually. This is as it should be, as it is now an essential part of all dietaries, and a very necessary part of the dietaries of persons under the depressing influence of asylum treatment. Loss of liberty must be depressing. In several institutions the dieting has been found fault with on account of the insufficient use of tea". (2).

He concluded his Report by stating that asylum diets should include the minimum of four ounces of uncooked meat or an equivalent amount of fish, four ounces of fresh vegetables (excluding potatoes) with tea, cocoa and bread "ad libitum".

The next year, Miss E Haldane, sister to an eminent Oxford physiologist, informed the Departmental Committee on Medical Relief

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1. J. C. Dunlop, Report on Prison Dietaries. C 9514 (PP 1899 Vol XLII) p 127
  2. J. C. Dunlop, Report on the Dietary of Pauper Lunatics. Cd 955 (PP 1902 Vol XLI) p 96

of Dunlop's work; and that on her brother's calculations all poorhouse diets were insufficient<sup>(1)</sup>. Their calorific content was only two thirds of that suggested by the American nutritionalist Atwater. So shocked by these revelations was the Committee that it immediately wrote to the Board recommending further investigation. A few months later the Board withdrew the old scale and indicated that all poorhouses must provide a diet at least equivalent to that of the 1898 scale<sup>(2)</sup>.

These incidents, the outbreak of scurvy, the squabbling over one ounce of boiled meat and the lack of knowledge over recent scientific work all added to one thing, that poorhouse management had become insular and that in consequence the quality of indoor life lagged far behind that in the other hospitals. Glasgow, in recognition of this, when it opened its new Poor Law hospitals in 1904, decided to break with tradition. Medical officers were given the sole right to determine the quantity and quality of diets<sup>(3)</sup>. Later, after an incident in which an inmate burnt himself through brewing his own tea, all poorhouse diets were altered to permit food to be given "ad libitum" during meal times<sup>(4)</sup>. Greater variations were also introduced by allowing puddings.

Other parish councils seemed less willing to make alterations.

1. Paper submitted on 1/12/02
2. The circular was issued on 6/2/03
3. Glasgow PCM, 15/2/04 and 2/6/04; see also G. A. MacKay, The Management and Construction of Poorhouses (Edinburgh, 1908). pp 82-91 and 231-5 for standard recipes and scale of diet.
4. Glasgow PCM, 15/6/10 and 23/11/10



At Leith, ordinary Council business almost halted after Labour Councillors refused to accept a vote for improvements in diets<sup>(1)</sup>. To them, it did not go far enough. Eventually modifications, like Glasgow's were made, but for many there was little doubt that the nature of poorhouse diets, in comparison with voluntary hospitals remained dull and monotonous.<sup>(2)</sup> Moreover, inmates had the continued application of restrictive rules and regulations on what they could wear, where they could go and what entertainments they could have<sup>(3)</sup>. Many, of course, still had to perform work tasks.

One of the reasons why the Board had established the Departmental Committee on Medical Relief had been to review poorhouse medical policy. In the decade preceding it, the Board, through their circulars and General Superintendents of Poor had suggested that inmates ought to be classified according to a number of distinct social and medical groups and then segregated into wards or different parts of the poorhouse. With the advent of greater amounts of surgical work being undertaken by the voluntary hospitals and the care of certain diseases by the Public Health Hospitals, the Board had also begun to suggest to poorhouse management committees that they should introduce more specialist care. If necessary, this care was to be given in separate buildings, apart from the ordinary wards.

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1. Leith PCM, 27/12/10, 17/2/11 and 14/3/13
  2. D..C. Watson, Food and Feeding in Health and Disease. (Edinburgh, 1910) p. 546-7
  3. for instance, see the detailed regulations on the Glasgow Poorhouse Test Department in the evidence of J. R. Motion to the Departmental Committee on Medical Relief; also Leith PCM, 23/3/10; and Appendix 5C

Classification, segregation, medical specialisation and new buildings the Board knew were eminent ideals; their implementation would be a lot harder. The first problem it and the "reformists" faced was that the majority of parishes had either only one poorhouse or if they had two (through amalgamation), they had been built to house all types of inmates. The second problem was that in 1900 a considerable number of councillors continued to believe that the poorhouse was and ought to be a mixture of "a factory; a hydropath and a hospital"<sup>(1)</sup>. Architecture and ethos were inextricably entwined.

Thus the Board found that rural parishes were virtually unable to respond to the new direction in policy. Few had the capital resources to build their own specialist units and the majority were too far from voluntary hospitals to be able to hire non-resident specialists. All a rural poorhouse committee could do was impose some classification scheme and attempt to ensure proper segregation. However where there were only two or three staff and forty or fifty inmates as in Dalkeith Combination, keeping proper segregation was extremely difficult. Only when the 1908 Children's Act brought in some more children did Dalkeith agree to build a separate block and introduce specialist nurses<sup>(2)</sup>. Other medical improvements also suffered delays and obstructions. The Board in 1906 had pressed for separate towels and fresh bath

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1. MacKay, op.cit., p 60

2<sup>1</sup> Dalkeith Combination Poorhouse Minutes, 17/12/09 and 24/4/10

water for each inmate. Although the bathing apparatus was inadequate, nothing was done<sup>(1)</sup>. Suggestions for toothbrushes and footstools for the sick were also ignored<sup>(2)</sup>. Medium sized parishes fared little better. Leith, for instance, was so saddled with the cost of building a new poorhouse at Seafield that it could not afford any further capital projects<sup>(3)</sup>. Moreover the building ~~had~~ had been so designed that complete segregation according to the Board's "modern" principles was difficult.

Large parishes faced similar problems. At Edinburgh where the parish was also the local Lunacy Board, councillors were too committed to building a new asylum at Gogarburn to contemplate any other capital programme<sup>(4)</sup>. Proposals by the "reformists" to build two homes, one for children, and the other for epileptics were quickly squashed<sup>(5)</sup>. Later a suggestion that the parish should create observation wards, like Dundee and Glasgow, for the suspected mentally ill, were also turned down<sup>(6)</sup>. All the Parish could do was to attempt to segregate wards within its own two poorhouses and introduce specialist services.

In the early 1900's the major medical problem seen by the Board was that of T.B. Care. It was not yet a disease covered by the Public Health Authorities and therefore many of those afflicted ended up in the poorhouse. Edinburgh alone, catered for nearly two hundred a year. Thus from 1900, the Parish gradually began to

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1. *ibid.*, 10/4/12

2. *ibid.*, 29/11/11

3. Leith PCM, 9/12/01 and 30/12/01. Opened in 1907, it was the last one to be built in Scotland

4. Edinburgh PCM, 2/2/10

5. *ibid.*, 16/2/06

6. *ibid.*, 1/12/08



provide specialist clothing and equipment<sup>(1)</sup>. Open air sheds were erected. However this was their limit and the Parish was only too glad to get rid of the bulk of sufferers when the Board agreed that the Public Health Authorities should provide care in 1906<sup>(2)</sup>. In the next few years. Edinburgh initiated only minor improvements in medical services.

The catalyst for Edinburgh, and indeed all other large parishes, was the Poor Law Commission's Report. After adverse press criticism (the Webbs had published a Report on Craigleith), the councillors hastily agreed to provide a new operating theatre<sup>(3)</sup>. Within a few years an additional two resident medical officers (from one in each Poorhouse), a resident surgeon, a visiting ophthalmic surgeon, two clinical assistants and extra nurses were appointed<sup>(4)</sup>. The establishment of an x-ray department, an observation hospital and a children's home were also agreed<sup>(5)</sup>. At the same time with the appointment of the Board's additional inspectors, the Commission's criticisms came under closer central scrutiny. All calls by the resident medical officers for equipment and staff were quickly supported by these new inspectors and to emphasise the altered direction in central policy, each large poorhouse was inspected by them in 1911 and 1912.

Craiglockart was visited by Dr T. F Dewar in 1912 and he issued a nineteen page memorandum on his observations<sup>(6)</sup>. In it he

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1. ibid, 20/3/99, 20/4/00, 3/12/00 and 4/4/04. Marked clothing, towels, bed sheets, cutlery, crockery and spittoons were provided.
  2. The Annual Report of the Local Government Board, 1906. Cd 3470 (PP 1907, Vol XXIX)
  3. Edinburgh PCM, 15/3/09, 5/4/09 and 4/1/10
  4. ibid., 4/11/11, 1/4/12, 29/1/13 and 2/3/14
  5. ibid., 28/11/11 and 8/9/13
  6. ibid , 16/12/12

urged the Parish to adopt a more professional approach to medical care. "Pauper" nursing, he urged should cease because in his view,

"It will probably be agreed that the time has come when the services of inmates in poorhouse hospital wards should be restricted to those duties which would be performed by ward maids in other hospitals, and that they should no longer be expected or required to take any part, however simple or humble, in the actual work of nursing".

Emphasising the altered nature of medical care within voluntary institutions he suggested that the time had come for Poor Law medical services to cease adopting 19th Century philosophies of "less eligibility". To him,

"... the existence of illness, illness which in a poorhouse is often incurable and generally of a chronic and disabling nature, removes the question of eligibility. Very exceptionally is sickness preferred to health; thus there is little or no fear that the attractions of a hospital, however great, will make persons desire to qualify for admission thereto.

But apart from that, the standards of decency and humanity which prevail today ordain that a public institution, especially a public hospital, must be a public example and worthy of imitation, and that its staff, its equipment, its routine procedures, and its administration must be determined by modern medical views and hygienic requirements, and be but little influenced by the humble status of the patients admitted to its wards".

In his conclusion he pressed the Parish to introduce immediate improvements in medical and nursing care. Thus the Councillors were now clearly aware that to the Board, the ethos of discriminatory relief and medical care were incompatible. To rub this latter point home, the Board told all parishes that no new poorhouses would be permitted. Only separate and specialist institutions would be allowed<sup>(1)</sup>.

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1. *ibid.*, 3/4/11. The Board's letter to parish councils was dated 29/3/11

Dundee, like Edinburgh, pursued a policy of slow and limited improvements in specialist services. T.B. Care was provided and after a General Superintendent of Poor adversely commented on expectant mothers delivering their babies in the same room as other sick women, the Parish agreed to a new maternity ward<sup>(1)</sup>. Observation wards were also agreed and the Dundee Social Union was permitted to introduce the Brabazon scheme<sup>(2)</sup>. Requests by the resident medical officer for equipment, including a new operating room were also met<sup>(3)</sup>.

Full segregation, however still remained a problem. It was only when the old open lavatory troughs were demolished and new individually sited hand-flushed w.c's were installed that the architectural problems of separate blocks was solved<sup>(4)</sup>.

Nevertheless, Dundee received an equally condemnatory Report by the Board's Medical Inspector<sup>(5)</sup>. He complained bitterly that straw mattresses and shake-down beds were still in use and noted that in one female ward where there were several babies there were "a number of patients suffering from nervous maladies of interesting type". The maternity ward, in a basement, was ill-lit and full of flies. But it was in his criticism of the operating theatre that his Report struck hard at the division between voluntary hospitals and the poorhouse. He commented,

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1. Dundee PCM, 21/9/99, 28/10/01, 26/8/01, 27/7/02 and 22/11/06
  2. *ibid.*, 26/1/03
  3. *ibid.*, 21/2/07 and 21/3/07
  4. *ibid.*, 18/2/09 and 17/2/10
  5. *ibid.*, 21/3/12



"The outstanding deficiency of the Hospital is in respect of the absence of a [proper] operating room. For more than one reason it is obviously impossible to send cases requiring operative treatment to the Dundee Royal Infirmary. Dr MacVicar, therefore, does all the surgical work ... During the past sixteen months seventy-three operations were performed here ... these are at present conducted in one of two side rooms ... in order to see for myself the exact conditions which prevailed, I paid a special visit ... when a major operation (excision of the knee-joint) and two minor operative procedures were to be performed. At the commencement, although the fire had been on for some time, the room felt cold, the temperature being 54°F. It rose gradually, reaching 66°F within an hour. The windows were closed, but a draught from a ventilator was noticeable. An open fire is, of course, undesirable where ether is used as an anaesthetic. The light is said to be better here than in the side room of ward 3, which is used for operation upon male patients. The light on the occasion in question was not defective, but it might be improved if the panes of yellow and cerise coloured glass were removed from the upper sections of the window and panes of colourless glass substituted. The floor is of good wood. The walls are rough and not well suited for an operation room. Artificial light is supplied by means of incandescent mantles. The operating table is a slab of wood fixed upon trestles. It seemed somewhat shaky, not not insecure. The space in the room is cramped",

Dundee, it seems, like Edinburgh, had not been able to match the improvements in the Voluntary sector.

Glasgow's problems in 1900 were similar to both Edinburgh's and Dundee's. Its two large poorhouses were both unsuitable and inadequate for more advanced medical work<sup>(1)</sup>. One was falling down. The need for new accommodation had long been recognised and within a month of the amalgamated Parish being formed, the Council agreed to review its indoor accommodation<sup>(2)</sup>. A Special

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1. Departmental Committee on Medical Relief. Evidence of Dr W. D. Core and Dr J. M'c. Johnston
  2. Glasgow PCM, 1/2/99 and 1/3/99. Councillor Sutherland had raised the issue

Report was prepared by the Resident Medical Officers and both concluded that the drab surroundings and the discriminatory nature of the admissions procedure into a Poor Law institution prohibited many of those in the City who were sick seeking early and successful treatment<sup>(1)</sup>. This they believed jeopardised their return to work and hence their independence. Only a more active policy to promote the health of the City's poor could alleviate the growing incidence of public illhealth. A new strategy, based on "reformist" philosophy emerged and plans for a general hospital and two smaller district hospitals were submitted<sup>(2)</sup>. The former was to treat the chronically sick and the latter situated in the poorer districts, were for acute cases. The proposal was quickly approved and the hospitals were duly opened in 1904<sup>(3)</sup>.

However, Glasgow faced a number of problems. Firstly, the majority of councillors, including the "reformists", continued to mix moral and clinical judgements about treatment. In a discussion on the caring of children, they had agreed that all but one category would be sent to the general hospital at Stobhill<sup>(4)</sup>. It would act as both a clearing house before boarding out and as a hospital for those that were sick. The other category, "test" mothers with young infants would continue to be sent to the Barnhill Poorhouse. Whatever the apparent simplicity of the classification, it soon ran into problems; officials continued to use Barnhill for those sick

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1. *ibid.*, 23/9/99 and 1/9/99. "Report by the Medical Officers of the City and Barnhill Poorhouses regarding the Future Hospital Requirements of the Parish of Glasgow", dated 29/5/99
  2. *ibid.*, "Report by the Special Committee of the Parish Council on Poorhouse and Hospital Accommodation", dated 18/8/99, with J. Brand as Chairman
  3. *ibid.*, 26/9/99. Stobhill actually began to take patients in 1902
  4. *ibid.*, 19/10/00, see page 159

who had a "bad record of behaviour"<sup>(1)</sup>. Despite the exhortation of the medical officers that V.D., skin and other such diseases were acute illnesses that required advanced medical care, Barnhill remained their destination. The officials, reflecting the councillors' own desire to maintain some degree of moral classification amongst the sick had interpreted the scheme within more established principles.

A year after the hospitals had been opened, the Parish was forced to conduct an inquiry and the Inspector of Poor was asked to review the difficulties the classification scheme had encountered.<sup>(2)</sup>

He reported that it was virtually impossible to devise a watertight scheme based on the complete moral classification of an inmate's character. Those who were sick and bed-ridden would require a large number of sub-divided wards. Of those that were infirm or in the "test" categories he commented,

"After much consideration ... I have failed to evolve any properly defined scheme which could be applicable in every case. With paupers repeatedly chargeable there is no difficulty; their characters are known only too well, both to the outdoor and indoor officials. Yet, within this class, it has to be said that many are most exemplary in their behaviour and amenable to the ordinary discipline of the institution. Are they to be ranked with the decent or with the disreputable class? Then in new cases, upon whose decision are each to be morally classified. They have to be sent to the poorhouse or hospital usually before there is any real inquiry as to their character ... these difficulties, become intensified if the inmates are also to be

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1. *ibid.*, 21/6/05 and 3/7/05, "Memorandum on Barnhill Medical Officer's Classification"
  2. *ibid.*, 11/1/05 and 22/8/05, "Memorandum by Inspector and Clerk", 17/10/05, "Memorandum with Reference to the Disposal of Applicants for Indoor Relief, and the Classification thereof ...".



separated morally in the work apportioned to each. Such would mean the duplication of workshops, machinery, etc ...

Having thus indicated the chief difficulties, I would venture to suggest that the principles, at least, might be obtained. By a graduated process of sub-classification, with extended privileges as to the employment, dietary, liberty days, and the reception of visitors to the deserving classes, I am of the opinion that many of the objection to the more comprehensive scheme would be removed".<sup>(1)</sup>

To begin this process he suggested that T.B. cases who had been repeatedly chargeable should be sent to Barnhill, irrespective of the fact that Stobhill had the specialist equipment for their care. All maternity cases were also to be sent to Barnhill and only after the birth and their character had been assessed would they be sent to the District Hospitals. Suspected epileptics were also to be sent to Barnhill. Thus, the councillors baulking at the prospect of completely overturning established principles of discriminatory treatment, agreed that the hospital wards at Barnhill were to be refurbished.

The effect of this kind of mixed moral and clinical judgement were soon seen in the type of patient applying for institutional care. Acute cases simply refused to apply for relief<sup>(2)</sup>. Instead the Parish found that their hospitals were attracting only chronic and infirm cases. Indeed, so few were the numbers of acute cases being treated that the training status of the hospitals for nurses was put at serious risk. Although the Parish subsequently

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1. *ibid.*,

2. *ibid.*, 18/6/08, "Medical Superintendent's Annual Report"; 1/9/08 and 7/1/09, "Memorandum by the Medical Superintendent of Classification"; see appendix 5D

toned down their scheme of moral classification and informed their medical officers that they would be allowed more clinical freedom in determining which institution a patient would be referred to, the period before the war did not see any upsurge in the Glasgow poor seeking their medical services<sup>(1)</sup>. The stigma had remained.

The second problem was one of staffing. Soon after the hospital plan had been approved the councillors had agreed to end "pauper" nursing<sup>(2)</sup>. Subsequently they agreed to staff the general hospital with four resident medical officers and the district hospitals with three each<sup>(3)</sup>. Nursing levels were improved and in the case of Stobhill were also employed to care for healthy children. Further, a resident teacher was employed for their education<sup>(4)</sup>. Unfortunately for the Parish many of their professionally trained staff did not remain long. For the bright young doctor or nurse, although they were paid rates equivalent to that in the Voluntary sector, there was not sufficient variety of cases to further their careers<sup>(5)</sup>. In consequence the quality of staff remained low. Moreover the failure to attract acute cases meant the Parish had little incentive to increase their staffing levels. It was only after the Parson's Report had embarrassed the Parish that the councillors were forced to improve their staffing. A dentist, an opthalmic surgeon, a nurse with medico-psychological certificate (for the care of epileptics) and a

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1. *ibid.*, 22/1/09

2. *ibid.*, 22/5/01

3. *ibid.*, 19/10/03

4. *ibid.*, 19/3/02

5. see Appendix 5E, D. J. Mackintosh, The Construction, Equipment and Management of a General Hospital. (Edinburgh, 1909)

visiting surgeon and phsyician were all appointed<sup>(1)</sup>.

Thus Glasgow had encountered the same problems as the other larger parishes. Once medical treatment had been recognised as an essential part of the Poor Law service there was a move away from established principles. However many administrators had found that old philosophies died hard and that it proved difficult for them to re-orientate their belief in the appropriateness of discriminatory care. By the time the war broke out the Board had realised the contradiction. But all it could do was to tell the Parish it hoped, "the work of those hospitals may in all respects be on a level with the best voluntary infirmaries".<sup>(2)</sup>

By 1914 much within the Poor Law had altered. New Acts, new politicians, commissions and special inquiries had taken their toll. But the challenges the "reformists" faced turned out to be greater than they could meet. Beset by increasing numbers of poor applying for ordinary institutional care, they had reacted in a harsh manner, a manner which as the years went by seemed incongruous with an emerging political democracy. In a period of uncertainty about social causation and when a new breed of working class councillor began to emerge, to ask for power to detain the non-criminal poor was an act of great folly. To seize new powers contained within legislation designed to improve the

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1. Glasgow PCM, 19/6/12, 24/4/14 and 15/3/14. An x-ray department was also established in 1911
  2. ibid., 14/5/14



general well-being of family life against those very families was running against popular expectation of public authority conduct. To fail to match the specialist care and relief of distress offered by both public and voluntary institutions was asking for the loss of public legitimacy. In essence then, the "reformists" had misunderstood the general direction of political change. The more assertive and less deferential working class had conspicuously rejected the established philosophy of Poor Law care. Although their representatives may not have been sure what organisation or organisations they wanted in its place, they certainly understood what they did not want, an institution contaminated by discriminatory treatment, based on personal moralisms about what was appropriate behaviour and operated on their behalf by the middle classes.

However, the "reformist" philosophy did have one important effect, it provided an intellectual basis for the emerging socialist one. By deflating the utility of the more traditional legal approach to welfare and insisting that positive intervention had its virtues, Labour Councillors could utilise its logic to demand more ameliorative policies. The "reformists" could argue that the public purse was limited, but their practical philosophy had no real criteria for determining how and where it should be limited. All they could offer was a synthesis of "scientific" knowledge to policies that would alleviate human misery. What actually constituted the detail of this misery and hence need, and what was relevant knowledge was open to wide interpretation. Once administrators had accepted the legitimacy of this philosophy, then the battle became one

of determining the pace, scope and basis of statutory intervention. As the war drew nearer with the evident failure of the "reformist" campaign, the stage had been set for a much more intense struggle about the form and distribution of welfare within Scottish society.

CHAPTER SIXPUBLIC ORDER, UNEMPLOYMENT AND THE RELIEF OF DISTRESS: 1921-35

The pre war debates and development of policy had left much about the nature and form of welfare to be decided. However one thing had been clear, punitive measures which sought to regulate and constrain behaviour were no longer acceptable. A popular democracy could not accept that its members should, because of their poverty or social need, be subject to the close regulation of their lives that had once been the hallmark of good Poor Law administration. If there was to be any investigation or legal restraint of an individual then some new basis for the conduct of public authorities had to be found. After the war, which had cost the lives of so many ordinary working men and which had seen the emergence of a much stronger labour movement, officials and politicians were soon re-examining the future of State action in welfare<sup>(1)</sup>.

Labour's attitude to social reform can be seen in the views of their leader, Walter Adamson<sup>(2)</sup>. To him, social need could only be met by utilising a model based on the "widest sense of medical

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1. Comprehensive accounts of British social policy during the inter-war period include, B. B. Gilbert, British Social Policy 1914-39. (London, 1970) and Fraser, *op.cit.*, Chapter 8
  2. PLM. 1919, pp 330, 366. Speech to the Annual Meeting of the Association of Parish Councils in Scotland, later statements on policy can be found in Forward, 19/7/25, A. Ritchie, "Hints to Parish Council Candidates" and 21/10/25, "Parish Council Programme by Glasgow Labour Group"



treatment". The production of real wealth; the physical and spiritual development of the nation lay in the application of this model to the administration of welfare. State organised and directed assistance could, over a number of years, reduce poverty resulting from old age, widowhood and the accidents of life. The stigma of the Poor Law which had caused "the iron to enter the soul of Labour" had to be removed so that a more humane and generous system of welfare could be created. However as he freely admitted, because there was no method to absolutely determine social need, his views were no more than ideals. It would take years before they could be fully operational. Labour had a vision of a social democracy but not yet a workable blueprint.

The Conservatives were attempting to develop both a thesis of modern political democracy, and a working model for its application. The most succinct presentation was made by one of their aspiring young politicians, Noel Skelton<sup>(1)</sup>. He argued that many of the pre-war debates had been about political status, the eligibility to vote, the widening of local government accountability and the role of trade unions. All of these had been resolved in a way which favoured ordinary working people. Enhanced by this acknowledgement of political power, they wanted a redistribution of the social and economic rewards of capitalism.

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1. S. N. Skelton, Constructive Conservatism. (Edinburgh, 1924). Reprinted from the Spectator, May, 1923; for an appreciation of his impact see Sir Alex Douglas Hume, The Way the Wind Blows. (Glasgow, 1976) p 59

Arguments like the Liberals had about redistributing political power would not now get in the votes. To counter this threat to political stability, Skelton suggested that Conservatives ought to promote a new society based on a property owning democracy. The majority of working people were in an idealistic sense socialists, their position in industry entailed that, but virtually all were practical conservatives because they saved, held war certificates and believed in Britain. Conservatives should tap the basic instinct for property ownership and promote its "rightness". Moreover elections by the Conservatives should be fought, not on the basis of capital versus labour but on equal partnership, with the State a neutral party promoting the general welfare of British industry. But the economy is always changing and public institutions need to be continually modified. The new Conservative should not shrink from the necessary radical restructuring of public authorities. This political philosophy of promoting public order through guaranteeing property rights, however small, and in renovating old worn out institutions was a powerful doctrine. It meant a continual watch on the material welfare of the people, and, if any normative breakdown was threatening, welfare policies to promote public and social order would take precedence over other more punitive forms of control.

An early example of this new direction in policy was seen in the reforms of 1919. A new Board of Health was constituted to take over the functions of the old Board, the Highlands and Islands Medical Board and the National Health Insurance Commission<sup>(1)</sup>.

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1. PLM, 1919, p 135

It had a much wider remit, than just the ensuring of the smooth running of local government. Its new statutory aims included,

"the effective carrying out and co-ordination of measures conducive to the health of the people". (1)

Getting the vote was now recognised as involving policies to achieve aggregative material welfare.

The impact of this rapidly changing political ethos was felt very quickly by parish officials. Previously a "pauper" had to be deferential to an inspector of poor. The inspector had after all been the embodiment of society's normative values on laissez-faire political economy. But the "pauper" had turned into a 'poor person' (2). The inspector now had a duty to take into account the wider circumstances of one's predicament; circumstances beyond the control of the individual. If it was not your fault that you were in poverty, but the fault of the economic system, then the inspector was bound to provide some redress (3).

As one official pointed out,

"deeply interested in social problems and who could guide an individual to those forms of social conditions best for that individual and the community". (4)

Thus officials had to strike a balance between their traditional philosophy and the demands of claimants for "needful sustentation".

1. Reported in the Annual Report of the Board of Health, 1928. Cmd 3304 (PP 1928-9 Vol II) p 13
2. Annual Report of the Board of Health, 1920. Cmd 1319 (PP 1921 Vol XIII) p 241, Circular on titles
3. PLM, 1920, pp 43 and 70, "The Break Up of the Poor Law" (by a parish official)
4. ibid., 1919, p 11, "The Inspector of Poor" and p 50, "The Meaning and Method of Taxation and its Social Aspects". The author, D. C. Smith was an official at Govan



These demands were soon felt to be real. In 1919 Labour captured ten parishes and in each they set about putting Adamson's ideals into practice<sup>(1)</sup>. In this context of a rapidly changing social philosophy and renewed political action, the relief of distress, the nature of public authority conduct and the collective pursuit of welfare goals were bound to come under much greater public scrutiny. These aspects of the development of welfare can be seen most closely in the three issues of unemployment relief, the public provision of hospitals and in the debate about the meaning of poverty. The next two Chapters will examine in greater detail the latter two issues. This Chapter will concentrate on unemployment relief policies between 1921, when parish councils began to relieve the able-bodied out of work en masse, and 1935 when the majority of such claimants were finally transferred to the nationally financed Unemployment Assistance Board.

The Government had during the war gradually extended national insurance to virtually all industrial workers. The problems associated with demobilised soldiers had forced it to grant the temporary extension of unemployment benefit beyond the normal thirteen weeks. But the Government had no coherent policy for dealing with more permanent unemployment. It was assumed that there would be a return to normal employment conditions once industry had readjusted itself from wartime production and when

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1. The parishes were Wemyss, Beath, Ballingry, Auchterderran, Culrose, Newbattle, Carmichael, Blantyre, Falkirk and Larbert. They had a combined population of 180,000. Labour were also a significant grouping on Glasgow, Govan, Rutherglen, Cambuslang and Bothwell.

the National Exchequer had balanced its books. The contrary occurred; the slump of 1920-22 was followed by the deeper problem of structural unemployment, particularly in the traditional industries of coal, steel and shipbuilding<sup>(1)</sup>.

English Poor Law authorities found that Government was unwilling and almost unable to devise a national system of unemployment relief. Although forced by the pressure of unemployment to extend non-contributory benefit its position remained firm throughout the 1920's; a reduction of its financial burden was essential if the national insurance fund was to remain solvent. Thus time limits and other disqualifications were used to cut down on the numbers assisted<sup>(2)</sup>. It was left to the Poor Law to provide the last bastion of statutory support for the unemployed. New policies had to be devised<sup>(3)</sup>. In Scotland there were four particular issues that helped shape this policy. They were granting of relief to the unemployed in 1921, the extension of relief to strikers dependents in 1922-6, the use of the poorhouse test against the long-term unemployed and the campaign to restore the cuts in 1932-5. Each will be looked at in turn.

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1. Post-war studies of the British economy include, D. H. Aldcroft, The Inter-War Economy, 1919-39. (London, 1970) and B. W. E. Alford, Depression and Recovery? British Economic Growth, 1918-39. (London, 1972); Scottish studies include Campbell, op.cit., Chapters 6 and 7; Slaven, op.cit., Parts 3, 4, and 5
  2. see A. Deacon, In Search of the Scrounger. (London, 1976) and "Concession and Coercion: the Politics of Unemployment Insurance in the Twenties" in A. Briggs and J. Saville, Essays in Labour History 1918-39. (London, 1977)
  3. The traditional perspective can be found in S. and B. Webb, History of English Local Government. Vols VIII and LX (London, 1929); more modern accounts include, Rose, op.cit., Part 5; Bruce, op.cit., Chapter 8; P. Ryan, "The Poor Law in 1926" in M. Morris, The General Strike. (Penguin, 1976); for an account of the impact of unemployment on poverty see, J. Stevenson, Social Conditions Between the Wars. (Penguin, 1977) Chapters 1 and 4

The Poor Law's position towards the able-bodied by 1920 was something of an anomaly. Not only could the able-bodied receive National Insurance and Distress Committee relief, but their children could obtain free meals from the Education Authority and their expectant and nursing wives medicines and food from the Public Health Authority<sup>(1)</sup>. The 1908 Children's Act, as has been noted, also created problems. The Poor Law came under pressure of its own. Between 1903 and 1920 the Courts had begun to modify the traditional interpretation of no relief to the able-bodied. The elaboration of this entitlement began from a much closer examination of the circumstances of family desertion and the needs of mothers and young children.

At the Sheriff Court of Perth in 1903, the Sheriff (later Lord Ardwell of the Court of Session) decided that a woman whose husband was in a neighbouring parish (and whose address was known) was entitled to immediate relief, even though the husband was able-bodied<sup>(2)</sup>. The woman suffered from T.B., and because of her adultery had ceased to live with her husband. He summed up his decision by saying that no husband need keep an adultress. A few days earlier, the Board in an arbitration case decided that a child kept with its grandparents whose widowed father had left for England was entitled to relief, even though he was able-bodied<sup>(3)</sup>.

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1. MacKenzie, Report on the Physical Welfare (Scotland). Chapters 2 and 3
  2. PLM, 1904, p 14 "Rattray PC v Coupar Angus PC"
  3. ibid., p 46, "Fordyce PC v Bellie PC"



A rather worried Poor Law Magazine commentator recognised the principle at issue and wrote,

"The general result would seem to be that relief may be given to the dependent of an able-bodied man. And this curious result follows that the dependent, irrespective of age or sex or status, is a pauper in his or her own right. That is a contradiction in terms, but it is an inevitable result. In none of these cases was the dependent who became chargeable actually residing with the able-bodied husband or parent; but that does not seem to affect the principle, which no doubt, will soon be applied in cases where the parties live together". (1)

He was not to be proved wrong. The Board, reflecting its political and administrative transformation into a more active instrument of social "improvement", was soon in action again. In one case, some children left their father because of his cruelty and their grandparents applied for relief. In another, three children had been deserted by their father and left with their grandparents who only had a low income. Pleas that the Poor Law should not interfere in domestic arrangements were ignored by the Board. In a third, a drunken woman was left in jail for a night while her child was boarded-out by an inspector. The father refused to reimburse the parish. Pleas by the parish of settlement that he was able-bodied and the mother ought to be prosecuted for child neglect were also ignored by the Board. The case was an emergency and the inspectors had no alternative. Soon the Poor Law Magazine began to fill with similar decisions by the Board.

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1. *ibid.*, p 418, "Relief to the Able-bodied and their Dependents" by G. M. Edinburgh, Glasgow and Govan all agreed to abide by the decision under protest, Edinburgh PCM, 11/1/04

The next "breakthrough" occurred in 1911, when a woman who had left her husband four years previously on account of his cruelty applied and received relief. His address was again known. The parish of settlement stated that the husband would have offered to take her back and that,

"If every married woman, in a fit of temper, deserts her husband and chooses to throw herself on the parish, married life will turn out a failure, and a serious imposition on the rates will ensue". (1)

The Board refused to accept this argument making reference to the Perth Court decision. But that decision was one where the woman had had an adulterous relationship. In this case the husband, denying cruelty, was willing to have her back.

Another important case occurred in 1914. Here the child of a domestic servant was taken to her employers by the guardian<sup>(2)</sup>. The employer informed the Parish that either the child went or both went. The mother was hastily certified as deaf and the child removed to the poorhouse. The parish of settlement claimed that the woman was able-bodied because her deafness did not interfere with her work as a cook. The Board turned down these pleas stating that the child would have been harmed if no action had been taken. Thus if it was a necessitous case, a parish was bound to relieve a dependent "living" with its parent or husband.

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1. *ibid.*, 1912, p 129, "Houston PC v Dumbarton PC"

2. *ibid.*, 1914, p 129, "Leith PC v Carnwath PC"

A more dramatic case was one in 1918. An "indolent" wife had left her husband and subsequently became ill<sup>(1)</sup>. The parish of settlement informed the parish of residence that she should be sent back to her husband because he was believed to be respectable and was "able and willing to support her". This they did, but she came back within a few days with a Sheriff's order. Recognising that any domestic arrangement had failed they sent her to the poorhouse. The Board concurred.

Thus by 1919 the Board had used one lower Court decision as well as their own arbitration cases for the basis of a whole series of decisions on able-bodied relief. It was now their policy to regard the dependent of an able-bodied person as entitled to relief in their own right if the circumstances of necessity were so demanding. At some stage this change in philosophy and law was bound to be put to the test beyond the individual Poor Law case.

War-time Scotland had seen the development of a more organised and assertive labour force. Rent strikes, the shop stewards movement and the Glasgow general strike of 1919 all helped to create a new mood of class consciousness<sup>(2)</sup>. New union leaders emerged who were no longer prepared to accept the rules of a capitalist property owning democracy; their aim was a structural alteration in political and economic rewards, not

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1. *ibid.*, 1917, p 153, "Glasgow PC v Rutherglen PC"

2. Middlemas, *op.cit.*, Chapters 4 to 13; J. Hinton, The First Shop Stewards Movement. (London, 1973) Chapters 3, 4; C. Harvie, No Gods and Precious Few Heroes. (London, 1981) Chapters 1, 2 and 4



minor accretions to the weekly wage packet. The mood was also reflected within the working class electorate. Although on the surface the 1918 General Election had been a disappointment for the Labour Party, in reality it did indicate a subtle shift in fortunes<sup>(1)</sup>. The miners and inner city unskilled workers had firmly decided their affiliation to Labour. The Liberals could no longer maintain their hold, either by political radicalism or social legislation on working class sentiment. The structural forces within a more mature capitalist society, one that had apparently ceased to guarantee a large number of workers continued economic rewards, had forced the electorate to make the bitter choice, between a property owning democracy and a socialist State.

Thus Scotland in the 1920's witnessed the polarisation of political values. Yet it should not be assumed all workers adopted a socialist philosophy. The skilled worker in particular remained unsure that Labour's programme of reform would actually sustain economic development and provide material rewards. Throughout the 1920's Labour therefore never achieved a majority of the votes cast at a General Election. It was the Conservatives, reaping the benefits from the collapsing property owning Liberal vote that assumed the mantle of the Governing Party. However the stridency of Labour's beliefs and the assertiveness of the working

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1. R. McKibbin, The Evolution of the Labour Party. (London, 1974); G. Brown, The Labour Party and Political Change in Scotland, 1918-29. (PhD Thesis, Edinburgh University, 1982) especially Conclusion (with tables computed by I. Levitt)

class should not be underestimated, because it was these that gave many of the debates and actions over welfare their particular colour. Thus the changing nature of the political debate, from one over the distribution of political power to the efficacy of private property, meant that with the deterioration in the economy, the Poor Law as a rate-aided welfare institution was bound to come under particular pressure.

The first occasion when this occurred was during the miners' strike of April 1921. On the 12th April, the miner's union branch at Auchinleck approached their Parish Council for helping in feeding young children of striking miners<sup>(1)</sup>. The parish immediately transmitted this request to the Board of Health. Similar representations were received from the three Fife parishes of Auchterderran, Beath and Ballingray<sup>(2)</sup>. Here, as in a number of other mining areas the strike had taken an ugly turn, with looting and police baton charges widely reported<sup>(3)</sup>. On the 19th April the Board issued a circular to all the affected parishes. It said that,

"Parish Councils have no legal authority to grant relief to able-bodied persons or their dependents. Relief can be competently afforded only to applicants who are both destitute and disabled. It will be obvious, however, the Parish Councils, as authorities responsible for relieving destitution, cannot allow women and children to suffer undue hardship through lack of food. The policy which should be adopted by Parish Councils should be to refer applicants

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1. Auchinleck PCM, 12/4/21
  2. Beath PCM, 18/4/21
  3. see the Dunfermline Free Press, 9/4/21 and 10/4/21 where looting reported in Cowdenbeath and Thornton; Falkirk Mail, 7/5/21. "The Battle of Bannockburn" where police charged a picket line; Hamilton Advertiser, 30/4/21. "Baton charge on 90 men looting shops"

for relief on account of the strike to those administering any voluntary or other funds available for the relief of distress, but if no such funds exist, or if they are insufficient, or if they become exhausted, and absolute destitution threatens to cause physical injury to applicants or their dependents, Parish Councils may then afford such relief, as, in their discretion, they think necessary". (1)

With such an ambiguous circular it was not surprising that virtually all mining Parish Councils held back from actually relieving strikers and their dependents. To have ignored the circular and given relief might have lead to a surcharge<sup>(2)</sup>. Except for one parish, all relief was restricted to either occasional cases or to cases where a medical certificate had been obtained. The exception was Newbattle, a mining parish controlled by Labour, which saw very clearly that the circular gave an opening for the relief of an able-bodied destitution on a wide scale<sup>(3)</sup>. Large numbers of miners were enrolled and the Board hurriedly sent one of the General Superintendents of Poor to standardise their position. The Labour councillors were not to be intimidated and the Superintendent was forced to admit that,

"The Board had gone a little way from the strict legal position out of sympathy with the people who were suffering and had given the Parish Councils a loophole to relieve really destitute people approaching sickness". (4)

The Board was therefore openly prepared to tolerate illegality, but only in individual cases where approaching sickness threatened, because it believed the parish was the authority "responsible for

1. Annual report of the Board of Health, 1921. Cmd 1697 (PP 1922 Vol VIII) Chapter 6 "The Prevention and Relief of Distress". Circular can be found printed in full in Govan PCM, 25/8/21
2. see Appendix 6A for decisions by parishes and numbers assisted
3. Newbattle PCM, 22/4/21 and 6/5/21
4. ibid., 1/6/21



relieving destitution". Newbattle had shown the illogicality of differentiating between individuals and a large number of approaching sickness. The strike had indicated the intolerable position which the Poor Law faced.

A single strike was one thing but the new structural problems of the inter-war depression were another. Towards the end of November 1920, Scotland yet again met a rising tide of unemployment with the traditional methods of relief, backed this time by the National Insurance Fund. Local newspapers ran distress appeals, linked in many cases to Provost relief funds. Local authorities hastened public works. Firms went on short-time, organised their own relief funds and remitted rent on employee's homes if owned by the firm. Savings were dipped into, shopkeepers, especially the Co-op, extended credit. The provision of school meals and child welfare diets were expanded on a free or subsidised basis<sup>(1)</sup>. However with the limitation of Unemployment Insurance and uncovenanted benefit from March 1921 onwards, the depth and extent of the depression and the allegation that, owing to a "middle class" belief that the "working class" had had "good

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1. SRO HH 31/36 "reports and Memorandum by the Board of Health into Industrial Unemployment and Distress, 1921". See Appendix 6B for questionnaire issued to each parish council; Dunfermline Free Press, 14/5/21 "Distress in Dunfermline" which stated that the Provost's fund had received only £3; Falkirk Mail, 30/4/21 "Feeding the Needy", 4/6/21 and 25/6/21 "Relieving Distress in Falkirk"; Lochwinnoch PCM, 2/6/21 and 7/7/21 where local appeal fund exhausted; Cardross PCM, 5/7/21 where relief works ceased through ending of County Council grant; Govan PCM, 25/8/21 where Lord Provost's appeal fund exhausted; W. R. Scott and J. Cunnison, Industries of the Clyde Valley during the War. (Oxford, 1924) Chapter 10

wages in past years", appeal funds were insufficient, these methods proved inadequate. By July, the pressure in all industrial parishes was very noticeable.

At Wemyss on the 21st July, the Parish Council, after representations from local unemployed miners and on reconsidering the April circular, agreed to leave it to the officials to devise a scheme of assistance<sup>(1)</sup>. A scheme of loans was instituted which was illegal under the Poor Law. On the 31st July the Sunday Post stated that Wemyss Parish Council was giving unconditional relief on the Board's authority. Though incorrect, the Board was soon deluged with requests for similar authority from other hard-pressed inspectors of poor<sup>(2)</sup>. The Inspectors at Glasgow and Govan did not wait for the re-issue of the Auchinleck circular on the 4th August but began doling out relief to growing numbers of unemployed workers<sup>(3)</sup>. The pressure was so great that half the cases in the Glasgow Sheriff Court were Poor Law Appeals<sup>(4)</sup>. At Blantyre, the Parish, after reading an ambiguous telegram from the Board, promptly enrolled 300 miners<sup>(5)</sup>. Each family received

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1. Wemyss PCM, 21/7/21; see Appendix 6C for details
  2. for instance see Galston PCM, 7/9/21; Kilwinning PCM, 22/8/21 and Inspector's Letter Book, 4/8/21
  3. Govan PCM, 25/8/21 and 14/9/21; Glasgow PCM, 24/8/21; see Appendix 6E for the numbers assisted, 1921-24; Govan Press, 5/8/21, "Helping the Unemployed; Should the Parish step in?" and 23/11/21 "Helping the Workless" for an account of the August developments
  4. SRO SC 36/7/30
  5. Blantyre PCM, 3/8/21 and Appendix 6C for telegram

21/- . It thus became the first parish to agree on unconditional relief through the Poor Law to a large body of able-bodied men out of work.

By mid-August, at least another six parishes had followed suit and were giving some form of relief to over 2000 unemployed<sup>(1)</sup>. The Board, now seriously alarmed, tried hard to explain that there was no such statutory right<sup>(2)</sup>. At Dundee, where 12,000 were due to have their benefit stopped, the Town Council asked Winston Churchill their MP for assistance<sup>(3)</sup>. He expressed surprise that Poor Law practice in Scotland differed from that in England, and immediately brought it to the Cabinet's attention on the 19th August. The Cabinet already seriously alarmed by the general economic climate were quick to make a decision. The result can be seen in Churchill's telegram to Dundee;

"Government do not contemplate extension of Unemployment Benefit, but possibility of relief in other directions is under consideration, and the Secretary of State is discussing with the Scottish Executive means of ensuring that relief in Scotland is administered in a manner not less favourable than in England". (4)

Like Dundee's Town Clerk, the Board were aghast; both were expecting the extension of unemployment benefit<sup>(5)</sup>. Moreover the Board soon found that there were a number of difficulties in applying the policy. To abandon 300 years of principle was one thing, but to actively encourage parish councils to break the law was

1. see Appendix 6D for dates when parishes began giving relief.
2. see Appendix 6C for copy of Board's letters which were also circulated in Fife
3. Dundee Advertiser, 15/8/21 "Dundee Workers Plight"; Churchill was Dominions Secretary
4. PRO CAB 24/1 Meeting of 19th August
5. Dundee Advertiser, 23/8/21 "To relieve Unemployment Churchill announces new Proposal" and 25/8/21 "Relief for Dundee's Unemployed"



quite another. Equally alarming was both the cause of the crisis, mass pressure from the unemployed, and the subsequent logic of the Cabinet's decision, the necessity for retrospective welfare legislation. To the Conservative and Liberal establishment, the latter seemed dangerously unconstitutional, whilst the former threatened the financial basis of a property owning democracy, the local rates. It was certainly testament to a change in the locus of class power.

Although the Board withdrew its earlier letter on the illegality of able-bodied relief, it did not immediately attempt to persuade parishes to adopt an open policy. Only when the Fife Miners' Union headed by W. Adamson, their General Secretary joined the ranks of other hard pressed parishes and headed a deputation of Fife councils to the Board on the 2nd September, was the position formally reviewed<sup>(1)</sup>. The Lord Advocate immediately issued an exhaustive memorandum in which he stated that,

".. in the absence of any [voluntary funds], it might in the circumstances be expedient as being less costly to the parish in the end if the Council were to provide immediate relief".

and that when their accounts were audited,

".. the Board will give due consideration to the terms of this memorandum in regards to any action taken in accordance therewith". (2)

Any retraction from this position was quickly dispelled by serious

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1. Ballingry PCM, 16/8/21; Scotsman, 3/9/21 "Fife Miners Deputation to Board of Health"; see Chapter 8 for the Fife Parishes' problems with the Board over the legality of their ordinary Poor Law scales
  2. Annual Report of the Board of Health, 1921. "Memorandum for the Information of Parish Councils to whom Application for Relief is made by Able-Bodied Men in Acute Distress through Unemployment"

rioting on the 6th September in Dundee<sup>(1)</sup>. There the Parish Council had continued to prevaricate on the granting of relief. During the three days of disturbances, the Parish Offices were sacked and with the mob chanting the "red flag" the City Centre looted. The Board hastily sent a General Superintendent of Poor to urge that relief be given. At the same time the Cabinet agreed to assimilate Scottish and English Poor Law policy<sup>(2)</sup>. Although Robert Munro, the Scottish Secretary, was unable to persuade the Treasury to bear a portion of the cost of relief, the Cabinet did agree to other ameliorative measures for the unemployed.

The Board's own survey into the nature and extent of the distress soon indicated that the position was indeed serious<sup>(3)</sup>. By early October they knew that the Scottish economy was in difficulty with surplus capacity and labour in virtually every traditional industrial sector. 25,000 miners were thought likely to be unemployed "for years to come". Summarising the survey's results J. E. Highton, the Board's Chief Intelligence Officer

1. Scotsman, 8/9/21, 7/9/21 and 10/9/21; Forward, 17/9/21; Dundee Advertiser, 7/9/21, 8/9/21 and 9/9/21; Dundee PCM, 6/9/21 and 9/9/21
2. PRO CAB 24/74 Meeting of 7th September (Forenoon) where Munro, the Scottish Secretary, stated the "position was out of hand" and that "ratepayers were protesting against the Memorandum", 24/75 (Evening) where an Act of Indemnity would be passed if necessary
3. "Reports and Memorandum by the Board of Health, op.cit., PRO CAB Papers 3294, 3295, 3451 and 3478 between 8/9/21 and 10/11/21 gave information on the riots and Communist strength in each town. Papers 27/119, 212, 233, 236, 242, 248 from 24/9/21 to 1/10/21 related economic and Poor Law information from the Board

commented,

"Distress is widespread and is especially marked throughout the steel and mining areas. As resources diminish and distress becomes more acute, these particular areas will have to be carefully watched. In them and principally in Fifeshire, Lanarkshire and Glasgow, there are very inflammable elements which, while subjected during ordinary times to damping down by the saner and much larger sections of the community, will not improbably be fanned into activity as the endurance of that more sober section is broken by the continued tightening of waistbelts round empty bellies".<sup>(1)</sup>

What had been of rather peripheral concern for the Board of Health now became of central importance. Unemployment threatened not only to retard its policies, but also weaken the stability of a property owning democracy itself. With no extension in unemployment benefit, the Poor Law, as the only generic institution with an administrative system capable of assessing individual needs, had to be used to preserve public order<sup>(2)</sup>. It was in Churchill's own words, "the one practical step that could be taken"<sup>(3)</sup>. Adherence to legal prescriptions about entitlement was simply not acceptable.

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1. "Reports and Memorandum...." op cit

2. ibid., 24/76. 6/10/21, Cabinet Sub-Committee on legislation; 24/80. 17/10/21, agreed to new Bill allowing parishes to relieve unemployed on a temporary basis until 1922 and retrospectively applied from April 1921. Note also Papers 3315, 3345 and 3403 where Munro stated all Parishes had been told to assimilate policy; the Bill received its First Reading on 19/10/21, the Third on 2/11/21 and became law on 10/11/21; for the critical reaction of parishes see PLM, 1921, p 348 "Special Parish Councils' Association Meeting" held on 10/11/21

3. Scotsman, 24/9/21 "Churchill's visit to Dundee"



1921 had therefore witnessed a dramatic shift in Poor Law policy. However the collapse of the Poor Law's stance on able-bodied relief had not come about through any orchestrated national campaign. The issue had flared up too quickly. Neither the Labour Party nor the National Unions were sufficiently organised to develop a coherent policy. Adamson had not intervened until his own local union asked him to lead their deputation to the Board. If there was any organisation, it was at the local level, the branches of the miners' unions in Fife and Lanarkshire, the trades council in Dundee and in other small towns like Falkirk. In most places, however, the inspector or parish just met a group of unemployed<sup>(1)</sup>. Moreover, what organised pressure there was, rarely presented a long-term political solution to unemployment welfare; the deputations simply reflected the needs and desperation of the local unemployed. Inspectors were quick to appreciate this and many gave relief well before any formal parish decision. It really was a lesson in the new popular politics, and one that Government was not slow to appreciate.

The need for some new national policy on relief was soon seen by both the Board and by the larger parishes. Following traditional Poor Law practice, the Board set out its aim as ensuring "adequate relief"<sup>(2)</sup>. But given that there was likely to be many more applying for unemployment relief than on the ordinary rolls, at

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1. see Appendix 6D

2. PRO CAB 24/129 Paper 3497 by J. W. Pratt, Parliamentary Under Secretary for Health on 19/11/21

least until unemployment benefit was extended, it faced a particular dilemma. Too restricted a policy might lead to mass physical deterioration of health, too expansive a one might lead, with many one industry parishes, to local government bankruptcy. Both represented a threat to the Board's statutory aims. Thus, unsure about what particular policies to recommend it convened a conference of the larger parishes in late September. Although the parishes criticised the Government's decision not to shoulder the burden themselves, they agreed to a uniform scale of allowances and the adoption of the usual Poor Law procedures to administer the relief<sup>(1)</sup>. After the Conference, the Board was able to argue that it had agreement on many aspects of unemployment relief and where it became necessary it was able to use the Conference's deliberations as authority to enforce a national policy. The Board was therefore quick to persuade Glasgow to increase their scales and to do the opposite to Edinburgh, where they hastily agreed to the necessary reductions<sup>(2)</sup>. Other smaller parishes were allowed to set their own scales below this level; the Board felt that this was justified by their lower cost of living<sup>(3)</sup>.

Only two parishes openly challenged these scales, Falkirk and Larbert. Both Labour controlled, they soon found that their party members and the unemployed expected them to challenge

1. Annual Report of the Board of Health, 1921; see Appendix 6F for amounts
2. Glasgow PCM 30/9/21. Modellers, however could only receive relief in kind; Edinburgh PCM 26/9/21 and 3/10/21
3. For instance see Irvine PCM 1/11/21 same scale but with maximum of 35/6d; Stevenson PCM 10/10/21 agreed to 66% of scale; West Calder PCM agreed to 90%; Torphicen PCM, 7/11/21 agreed to 85% of scale

the validity of Government policy. At first Falkirk hesitated, but the unemployed committess, through the local Trades Council, began to harangue individual councillors, calling them "no better than capitalists"<sup>(1)</sup>. Larbert soon abolished their maximum and within a week, a General Superintendent of Poor appeared and told them no new loans would be approved by the Board unless they adhered to the September scale<sup>(2)</sup>. This enraged the local unemployed committee who packed 1,000 into Falkirk Town Hall and urged Falkirk not to betray Larbert and the stance taken by Poplar<sup>(3)</sup>. The Parish Chairman, faced with his angry constituents in front of him promptly told his audience to cheers that the new Act had freed parishes from Board control. The Government were not now going to meet any of the cost of relief and so it was up to the parish to decide what necessity meant. The new scale increased allowances by about 30% and modified the means test for families with working relations.<sup>(4)</sup> The Board were quick to seize on both aspects and indicated that although the Council was not guilty of a misdemeanour, they could not agree to their policy<sup>(5)</sup>. There had been no widespread dissatisfaction with the September scale and the Parish could only

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1. Falkirk PCM, 27/9/21 agreed to reduce September scale; 25/10/21 refused to follow Larbert; Falkirk Mail, 5/11/21 "Demands of the Unemployed"
  2. Falkirk Herald, 12/11/21 and 19/11/21
  3. Falkirk Mail, 19/11/21. "Workless Men Demonstrate"
  4. Falkirk PCM, 29/11/21. Maximum agreed at 50/-; 17/1/22 Means Test modified to 25% of earnings of working relative
  5. Falkirk Herald, 3/12/21 Larbert told that Board "tolerant of baiting Government", but not if it "sank the ratepayers"; Falkirk PCM 20/2/22 Board's letter of 6/2/22. Inspector told of need to uphold law



meet "necessary sustenation". Payments should be less than those being paid to relief workers. Although both parishes argued that the Board was acting arbitrarily and against a democratically elected body, the Board re-affirmed that no new loans would be approved<sup>(1)</sup>. By March 1922, the revolt was over.

The Board, however, faced another, more serious problem, the supplementation of low and inadequate wages. At Blantyre, the left-wing Council fresh from its vindication of unemployment relief pressed for further encroachments into meeting need. It modified the means test, refused to deduct relief from children receiving free school meals and decided on a policy to subvent the wages of full-time and part-time workers which were below the September scale<sup>(2)</sup>. Everyone should have the same basic income, irrespective of work status. The Board's immediate reactions were to state that the question was, "one of difficult and far searching importance"<sup>(3)</sup>. A week later their attitude had hardened<sup>(4)</sup>. The new unemployment benefit regulations allowed for payments to irregularly paid workers and urged the Parish not to proceed. Another letter soon followed in which they stated that in exceptional cases of ill-health the parish could provide temporary relief to the dependents of an employed person<sup>(5)</sup>

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1. ibid., 9/3/22; Falkirk Herald, 11/3/22 "Excessive Relief Payments"
  2. Blantyre PCM, 6/10/22 and 3/11/22; Hamilton Advertiser, 5/11/21
  3. Blantyre PC Letter Book, Board's letter of 18/10/21
  4. ibid., 27/10/22
  5. ibid., 1/11/22

A deputation to the Board was arranged and at the meeting and in a subsequent letter the Board's position was explained<sup>(1)</sup>. For those who were in full time employment, the Board argued that it would not only, "be unsound to relieve such cases because it would be subsidising wages", but also under the 1921 Act, illegal. For those who were in part-time work, the Board were in a more awkward position and they laid down the following ground rules for Parishes. Under the Act, they said,

"an applicant must be destitute and must be unemployed and unable to obtain employment. Before dealing with his application the Parish must determine in the first place whether the amount he is actually earning, together with any other household income, is sufficient for the maintenance of himself and his family. If it is not they should in the first instance refer him to the Employment Exchange with a view to his obtaining Unemployment Benefit and dependents' allowances in respect of the days during which he is not employed. In a large number of these cases he should be able to obtain these, and these together with his wages and the assistance he will obtain from the Local Authority under the Maternity and Child Welfare Schemes and the Education Authority, should be sufficient for his maintenance.

In cases where Unemployment Benefit is unavailable and the Parish Council are satisfied that a man partially employed has not enough to maintain himself and his family they must consider whether for the days in which he is not working he is unemployed in the sense of the Act. If they are satisfied on this point as well as on the fact of his being destitute, it will be competent for them to grant relief in respect of the days of unemployment, the amount of such relief being calculated in accordance with the scale".

Faced with the Board insisting that the full means test be applied,

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1. *ibid.*, 20/12/21; PCM, 28/11/21 The Deputation saw the Board's Chairman

that the September scale was a maximum and that wage subvention could only occur in the most extreme of cases, the Labour members of the Council resigned<sup>(1)</sup>. They were not going to be ruled by the Board.

In late 1921, there was one other problem the Board encountered. The September scale had operated on the basis of a maximum and in the belief that the Education and Public Health Authorities would fully co-operate with parishes on individual cases. It quickly became apparent that these authorities were not too keen to become widely involved in the relief of distress<sup>(2)</sup>. Soon requests began to be made by applicants for extra clothing. Both Blantyre and Govan were quick to seize upon the issue<sup>(3)</sup>. The Board's initial reactions were to agree that on some suitable deduction to relief being subsequently made, clothing could be given to children. Later, when the implications of a more indiscriminate policy had dawned, reaction hardened<sup>(4)</sup>. Some balance, if it was at all possible, had to be struck between material needs and the predicates of a capitalistic property-owning democracy. Thus, worried that other left-wing controlled parishes

1. ibid., 5/1/22; note also Board's letter on means test 27/11/21 and on children's clothing 16/1/22; Bothwell also approached the Board on subventing wages. Bothwell PCM, 10/11/21 and 30/11/21; so too did Wemyss. PCM, 15/12/21; Lesmahagow was one parish that did subvent short-time wages up to a maximum of 30/-, PCM, 3/6/24
2. Locally this was seen at Blantyre where the Education Authority had rejected many claims by applicants. PCM, 14/1/21; The whole issue subsequently resulted in the Scottish Education Department issuing a Circular (No 51) in 1922 when it declined responsibility for the clothing and feeding of children, except in extreme circumstances. See SRO ED 7/7/7, 7/7/8, 7/7/10 and 7/7/11. "Necessitous Children and Memorandum on Circular 51".
3. Blantyre PCM, 19/10/21; Govan PCM, 26/10/21, 16/11/21 and 16/12/21
4. ibid., 29/12/21 Letter's dated 1/12/21 and 28/12/21



might suggest new grounds for extra relief they argued that the September discussions had not contemplated any provision for clothing. Moreover, the cost of living had declined, so the pressure on that scale had been reduced. In their letter to Govan they concluded by saying,

"in view of the difficult and dangerous position that might be created by any widespread distribution of clothing to the able-bodied and their dependents, apart from the question of the serious additional burden which might therefore be imposed on the rate-payers, the Board will expect the Parish Council to exercise their statutory powers in the matter with the utmost discretion. The Board also strongly advise that in every case in which clothing is granted a small weekly deduction from the amount of relief paid under the scale should be made".

Govan agreed and a 5% deduction on aliment was made per week to those cases in which clothing was given. Blantyre followed suit<sup>(1)</sup>.

By early 1922, a clear policy on relief to the unemployed had been created. All parishes could pay no more than the September scale; a full means test had been imposed; capital payments for clothing were possible but only if subsequently deducted from the weekly aliment; and apart from some extremely necessitous cases where was to be no subvention of wages.

However the Board realised that they now faced two new problems.

Firstly, many parishes still resented having to assist the unemployed without Government grants<sup>(2)</sup>. Their resentment increased when

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1. *ibid.*, 5/1/22; Blantyre PCM, 14/1/22; Wemyss were also warned off any action. PCM, 15/12/21
  2. for instance see Ardrossan PCM, 24/4/22 Protest at extension of Act for another year; Glasgow Herald, 1/4/22 "Deputation to Secretary of State by Greenock Parish Council"; SRO HH 31/36/2 Letters from the Board to the Scottish Office, 8/11/23 and 26/12/23, and "Notes of Deputation from Parish Councils received by Secretary of State" 21/2/24 ED 7/7/7 Minute of Miss M Ritson 1/12/22

the 1921 Act was extended for another year. In a number of small parishes, there were many electors on low wages and they were likely to translate their resentment of an increased rateable burden into more extreme anti-unemployment relief policies. Secondly, the experiences of the unemployed were also likely to lead to resentment. Not only was it likely they would vote for candidates in the 1922 elections who promised more ameliorative relief policies, but where exasperation set in they were also likely to focus their attention on the one local body capable of providing some assistance. Disturbances were a distinct possibility.

Early in 1922, exasperation eventually broke out. At Bonhill, where the Parish had rigidly adhered to the September scale, a group of unemployed forced their way into a Parish meeting<sup>(1)</sup>. Only the police stood between them and the councillors. At Port Glasgow there was more serious trouble. There the voluntary efforts of 1921 had continued<sup>(2)</sup>. The local Charity Organisation Society had arranged with the Parish to relieve all applicants and this was greatly assisted by Lithgow's agreeing to the Society having some ships to break-up on a non-profit making basis. 1800 men were either on the rolls or employed on relief work. Early

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1. *ibid.*, 25/5/22; Bonhill PCM, 17/2/22

2. W. E. MacArthur A History of Port Glasgow. (Glasgow, 1932): Greenock Telegraph, 1/3/22 "Port Glasgow Voluntary Relief"

in 1922. the system began to break down, many men objected to the discrimination between the various work that was being offered<sup>(1)</sup>. On February 9th, about 100 men rampaged through the Parish offices and some hasty re-adjustments were made to the scheme. During the summer further grievances appeared and the Society itself was accused of being too officious. On the 4th September more serious disturbances occurred<sup>(2)</sup>. After three days of rioting and looting, the town centre was in a shambles, the Orange Hall had been burnt down, and 1,000 looters were in Court. The Parish agreed to enroll the unemployed at a scale only slightly below that agreed in September 1921<sup>(3)</sup>. It was the worst urban unrest Scotland had ever seen.

The disorder also spilled over into nearby Greenock. In February a group of unemployed similarly occupied the Parish offices<sup>(4)</sup>. Frustration grew even more when the Parish cut their scales to the unemployment benefit level<sup>(5)</sup>. Some improvement in the scale was made in late September, after the Port Glasgow riots, but many of the unemployed had clearly lost their patience. On the 2nd October several thousand marched to the offices, their leaders storming the Council Chambers demanding the Parish reverse their decision. In some haste they agreed, their Chairman being

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1. *ibid.*, 6/2/22. 7/2/22, 10/2/22. "Unemployed on the Rampage; Parish Offices Raided"
  2. *ibid.*, 5/9/22 to 11/9/22; Glasgow Herald 8/9/22 to 12/9/22 "Rioting in Port Glasgow; Looting crowds charged by Police; Exciting Scenes".
  3. Greenock Telegraph, 30/9/22 and 3/10/22 "Jubilant Unemployed"
  4. Glasgow Herald, 11/2/22 and 3/3/22. "Unemployed Scene at Greenock, Parish Council Offices Invaded"
  5. *ibid.*, 5/4/22 and 31/5/22 "Greenock's Heavy Burden"



forced to read out the new scales through an upstairs window  
to the mob outside.<sup>(1)</sup>

All of what had occurred in the lower Clyde was a shattering blow to the maintenance of public order. It demonstrated two important points to the Board and other conservatively inclined parish administrators. Firstly there were now clear limits to what treatment the unemployed would tolerate. They were quite willing to assert and not just vocally, what they considered their right was, a claim against property for a "decent standard of living". Secondly, it indicated that a new breed of working class "agitator", one that totally rejected the existing system, was able to tap the emotions of a distinct constituency. It may not have been the majority of the working class or even of the unemployed, but it was one that evidently could grow if welfare policy was not sufficiently ameliorative. There was however, another and perhaps more important factor for the concern of welfare administration. In 1921 Labour leaders fashioned out of the trade union movement had, by and large, been caught unawares by the needs of the unemployed. Throughout all the 1922 demonstrations a new crop of "leaders" emerged, ones who themselves were unemployed. Suddenly the existing leadership, MacDonald, Adamson, Maxton, Wheatley and Kirkwood found they had been outflanked in their appeal by a newer breed of representatives who as the crisis worsened in their locality, grew both more confident about the rightness of their cause and their ability to mobilise support. In Scotland, 1922 witnessed a peculiarly new phenomenon, unemployed leaders at the head of their own movement. Coming as they did from the ranks of the unemployed, and sharing the same lack of financial security, they

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1. *ibid.*, 22/9/22, 3/10/22 and 4/10/22. "Parish Council Held Up, Remarkable Scenes at Greenock".

had sensed the political agenda of the working class was altering; the utopian socialist dreams of the immediate post war years had been replaced by the concrete realities of material survival. The stridency of their attack on the existing system matched the immediacy of the needs to be met. It was a qualitative fusion of ideology and interests.

During 1922 parish resentment against having to relieve the unemployed continued and they particularly became incensed by the continued use of the gap periods in the entitlement to unemployment benefit<sup>(1)</sup>. Those badly affected by high numbers of unemployed in 1921 were by 1922 beginning to count the cost in loans and in the ratepayers burden. Many began to cut down their scales to unemployment benefit level. Some were clearly not even satisfied with even this reduction. Blantyre now fully under the control of the ratepayers attempted to cut its scales to only 50% of the September ones<sup>(2)</sup>. The local miners' union and a number of individual applicants soon appealed to the Board. The Board informed Blantyre that the reductions were "too drastic"<sup>(3)</sup>. They continued by saying that,

"any relief granted must be adequate and that they see no reason why persons not entitled to unemployment

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1. There was a particularly long gap in the later spring and summer. See Appendix 6E for the increase in Glasgow's roll. For the history of the benefit regulations and parish reactions see SRO DD 192 "Relief of Able-Bodied Unemployment".
  2. Blantyre PCM, 8/6/22 The 50% cut was to apply specifically to those disqualified from unemployment benefit. Those on it would receive a continuation of the same amount from the Parish. It is the first recorded instance when a Parish was prepared to discriminate against those who had poor work records.
  3. ibid., 8/7/22. This is also the first recorded instance of the Board receiving complaints of inadequate relief from able-bodied

benefit should be treated differently to those who are entitled".

Blantyre agreed to pay the unemployment benefit scale.

The Board were signalling that economy had to be matched with some serious attempt to meet needs. However, they continued to be worried about the poor state of parish finances and in July 1922 suggested that the September scale be modified<sup>(1)</sup>. The cost of living had steadily fallen and they suggested that Parishes should,

"take into account the wages now payable to the lower paid workers in the parish, with a view to avoiding the consequences of placing recipients of relief in a better position than persons who are working".

There was an immediate outcry from many of the parishes who were paying the full scale. A new conference was hastily agreed and it showed that of the thirty larger parishes present, 14 were paying the full scale, 10 the unemployment benefit scale and 6, amounts in between<sup>(2)</sup>. With this varying practice, and many parishes relating their accounts of local pressure, the Board was forced to concede that no new approved scale could be agreed.

The end of 1922 had therefore seen the establishment of a distinctive policy of relief to the unemployed. Irrespective of their financial burden parishes had to pay enough to prevent a breakdown in public

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1. Edinburgh PCM, 27/9/22

2. ibid., 6/11/22; Blantyre PCM, 5/10/22



order and they had to ensure that as far as possible "needful sustentation" was being met. However, it was still assumed that the Poor Law's crisis was a temporary one and that at some stage the Government would take over the burden. Further, most believed those who were unemployed would at some stage find employment; relief payments need only cover a short period. That belief in itself posed problems. Unemployment had fallen from its peak in 1921, but it still stood stubbornly at 13% of the workforce<sup>(1)</sup>. A new concern arose, the fear of a progressive worsening of the long term unemployed's morale. The Board were to point out its two probable effects,

"some will fall under the strain and become definitely apathetic and listless. Others are inclined to challenge an organisation of society in which such conditions are possible". (2)

As their standards of living fell and deprivation increased, the "spirit of contentment", especially amongst the more skilled, was bound to decline. Despair and political agitation were for a Board trying to balance the need for economy and "necessary sustentation", potentially a very dangerous weapon. The new more militant councillors elected in November and December 1922 were bound to reflect this mood.

Govan was one of the first to feel the effects of this change in morale. Worried about the effects of financial stringency on

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1. Annual Report of the Board of Health, 1923. Cmd 2156 (PP 1924 Vol X) "Survey of Unemployment and its Effects". p 187
  2. *ibid.*, p 200-1

the long term unemployed, it pressed the Board for permission to increase the scale for children<sup>(1)</sup>. The Board refused, but did allow the Parish where there were exceptional circumstances to increase the maximum payment beyond £2.00. In other parishes, the more militant councillors showed they were less concerned about following constitutional paths. At Dalziel, communist councillors openly abused the Chairman<sup>(2)</sup>. The atmosphere was so bad that the ruling group of ratepayers set up a small sub-committee of four councillors to carry out the Council's work. Only after a period of five months and Court action was the Council re-constituted<sup>(3)</sup>. But the more serious challenges occurred at Bonhill and Old Kilpatrick.

The delineation of an official needs line for the unemployed now meant that Labour candidates knew the outer parameters for any political struggle. At Bonhill, the electorate moved markedly to the left. The majority group was now composed of Labour and Communist councillors elected on a specific ticket to introduce a more systematic package of ameliorative measures. Within a few weeks they had increased the maximum of the scale to 47/6d and decided to ignore the first 16/- of a war disability pension<sup>(4)</sup>. By any account this was not a revolutionary move; it simply edged the official needs level a little higher. Bonhill's problem however was that in order to pay for its relief it needed Government

1. Govan PCM, 7/12/22, 22/12/22 and 19/1/23
2. Dalziel PCM, 15/12/22; Glasgow Herald, 16/12/22. The words "baby starvers" were amongst those used
3. ibid., 1/2/23. "Bill Chamber, to Inderdict Dalziel Parish", 13/2/23 and 7/5/23; Dalziel PCM, 13/4/23 and 1/5/23
4. Bonhill PCM, 19/1/23; Lennox Herald, 27/1/23; for an analysis of the local ideology and class interests see, S. McIntyre, Little Moscows; Communism and Working Class Militancy in Inter-War Britain. (Glasgow, 1980)



backed loans. The Councillors were therefore directly attacking National policy. The Board, fearful of the precedent of using such loans to extend relief in parishes already heavily burdened by debt, remained inflexible<sup>(1)</sup>. On the day the funds ran out, Bonhill climbed down<sup>(2)</sup>. But the issue had been clear, the Government was not only penalising the large family, it was prepared to penalise those who had fought for their country. By not allowing them any additional relief for their disability, Labour could argue that the Government was "surcharging the war wounded". It was unjust<sup>(3)</sup>. Thus although the left-wing councillors had lost, they had set an important marker.

Old Kilpatrick represented another kind of threat to the Board's policy. Firstly it was not Labour controlled and secondly its shipyards, although idle, were symbolic of what Scotland could offer the world. By 1924 a quarter of the parish was on poor relief, the highest anywhere in Scotland. With so many in need, over such a long period, it had already abandoned the September maximum and was giving clothing to the children of the long term unemployed<sup>(4)</sup>. They felt that after an extended period of

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1. Bonhill PCM, 26/1/23 and 23/2/23. Payments began on 1/2/23 and ended on 23/5/23. Letters of Board on 24/1/23, 23/2/23, 17/3/23 and 6/4/23; see also Lennox Herald, 3/3/23, 10/3/23 and 28/4/23
  2. ibid., 19/5/23; Bonhill PCM, 18/5/23. The Board had sent final warnings in a letter of 10/5/23 and a telegram on 16/5/23. Under pressure itself from the Treasury on the provision of loans to parishes it had urged the Parish's bank to withdraw cashing facilities
  3. a surcharge on them was withdrawn under the minority Labour Government, ibid., 29/2/24. Board's letter of 28/2/24; the surcharge was £255 for disability pensions and £176 for the increased maximum, Lennox Herald, 8/12/23; the hardline forced on the Board was noted by a deputation of Labour MPs to the Scottish Secretary, Lord Novar on 18/1/24, SRO ED 7/7/6; in 1927 the Board modified its stance and allowed parishes to exclude part of the pension, see Govan PCM, 17/1/27
  4. Clydebank Press, 25/1/24



unemployment the maximum was inadequate for family needs. After some demonstrations in the town, a Labour proposal to increase the scale by about 20% was agreed.<sup>(1)</sup> It was only after a supplementary rate failed to bring in the extra money required in the following year that the Parish was forced into the Board's hands and the decision reversed<sup>(2)</sup>. However another important marker had been set, the problem of meeting the needs of the long-term unemployed would at some stage merit serious consideration.

Thus by the mid-twenties the Board had achieved some uniformity in the administration of relief. It had been able to rebuff the more determined ideological attacks on what it considered "necessary sustentation" and had been able to force the more reluctant parishes to pay at least the equivalent of unemployment benefit. Local government bankruptcy had been avoided. The Board's own surveys concluded that its policy had worked reasonably well<sup>(3)</sup>. The health of the industrial population had not materially deteriorated. In the Clyde basin, regular weekly amounts of public assistance had aided many poor families. These gains however had shifted the locus of welfare thought. In the interests of promoting public order and meeting distress the

1. *ibid.*, 4/4/24

2. *ibid.*, 31/10/24, 31/7/25 and 7/8/25 and Board's letter on "The Administration of Able-Bodied Relief", Old Kilpatrick PCM, 15/3/26; the reasons for the lack of a surcharge on this parish are largely conjecture, but unlike Bonhill where the left wing coalition was Catholic, Clydebank was run by those with a strong Orange connection.

3. Annual Report of the Board of Health, 1923. p 193. Survey conducted by one of its medical officers, Dr. Cruikshanks; similar results were obtained by the more independent Medical Research Council investigations; see D. N. Paton (et al), Poverty, Nutrition and Growth. (London, 1926); see also SRO DD 10/363 "Report by the SBH on Unemployment in Glasgow and Clyde Area 1923".

granting of relief to the unemployed had seen a major re-orientation of policy. But having been drawn into more direct methods of meeting the needs of the people, the Board had created an important precedent, it was prepared; if popular pressure was too great, to abandon the old legal doctrines of the Poor Law.

This change in thought was again evident when strike relief became a matter of contention. In February 1922 an engineers strike loomed and Govan asked the Board for clarification of the legal position. The Board were evidently taken by surprise because Govan noted that the reply was "vague and indefinite, if not contradictory in terms"<sup>(1)</sup>. The next reply was more specific, stating that the 1921 Act did not cover strike relief, and quoted the English Poor Law case of Merthyr Tydfil in 1900, the men being able-bodied and out of work owing to a strike. The Board further stated that,

"any application for relief on behalf of themselves or their dependents should be dealt with as application for ordinary poor relief under the Act of 1845, and disposed of in accordance with the practice which has obtained in the administration of that Act". (2)

Govan pressed further, wanting to relieve those without income<sup>(3)</sup>.

This the Board refused, but "in any particular case in order to prevent hardship through lack of food" they could relieve under the 1845 Act. This meant little, because Govan to avoid any suspicion

1. Govan PCM, 17/3/22

2. ibid., 28/3/22. Board's letter of 23/2/22

3. ibid., 3/4/22 and 10/4/22. Board's letter of 5/4/22; Govan Press, 28/4/22 where the Chairman stated that "practically twice the Board refused to give them a written document". Its objections rested on its unwillingness to allow strikers as a class any relief

of illegality, sent all applicants to the Sheriff<sup>(1)</sup>. Out of 200 applicants only seven were successful.

Further pressure came from a Labour MP, F. Rose (North Aberdeen) and the matter was referred to the Coalition administration's Conservative Scottish Law Officers, C. D. Murray (Lord Advocate) and Briggs Constable (Solicitor General)<sup>(2)</sup>. They stated,

"there is no difference, so far as the Poor Law is concerned, between men on strike and other men who can, but will not, support themselves".

They made no reference to the 1845 Act. Indeed the tenor of their opinion indicated they were more concerned to differentiate between those genuinely locked out and hence entitled to relief and those who were on strike. But whatever their opinion, discretion according to the Board remained available under that Act<sup>(3)</sup>. A number of other parishes were less reluctant than Govan. Dundee Parish agreed to treat strikers' families as if they were locked out<sup>(4)</sup>. The following year, during a jute dispute, they again made no differentiation, but the Board quickly advised them that general payments were illegal and after two weeks they ceased<sup>(5)</sup>.

Another more serious stoppage occurred at Douglas in 1925. There

1. SRO SC 36/7/31
2. ibid., HH 56/15. Briggs Constable had fought the Montrose by-election in 1908 on the slogan of "I am dead against socialism". He came third. Scotsman, 1/5/08
3. providing relief on loan was also refused by the Board, see Cathcart PCM, 4/4/22
4. Dundee PCM, 25/4/22
5. ibid., 23/1/23 and 23/3/23. There were 300 applicants and each received 15/- for a man and wife and 1/- for a child. 16/4/23. Board's letter of 11/3/23



the mine owners told the men they would only be employed if they agreed to wage cuts and other alterations in working practices. The Parish felt it was a lock-out and began enrolling the miners and their families<sup>(1)</sup>. The Board became alarmed, at first asking for the payments to cease, but when they received allegations of children being undernourished they decided to ignore the Parish's decision to continue payments<sup>(2)</sup>. The dispute simmered on until early in 1926. The inconsistency of the Board's attitude in part reflected a new political development. The Labour Government of 1924 had added another paragraph to the Law Officers' memorandum. It now specifically stated that discretion was available under the 1845 Act, an action regretted by the Board's chairman, who felt that "it gave the whole show away"; indiscriminate relief was a distinct possibility.

With the possibility of more widespread industrial action, the Board now began to reconsider its whole policy and asked the Conservative's Scottish Secretary, Sir John Gilmour, for guidelines in respect of an all-UK position<sup>(3)</sup>. The existing one was

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1. Douglas PCM, 9/2/25. 15/- for a man and wife and 2/- for each child in goods only; Hamilton Advertiser, 20/6/25, 27/6/25, 11/7/25, 26/9/25, 7/11/25 and 28/11/25
  2. Douglas PCM, 14/5/25, 20/6/25, 10/7/25, 29/7/25 and 23/9/25. A deputation of Labour MPs had also seen Walter Elliot, the Parliamentary Under Secretary on the allegations
  3. SRO HH 56/15. Letter of Board's Chairman to Sir J. Gilmour on 28/7/25 and reply on 31/7/25. Gilmour did not think it was possible to withdraw Labour's additions, although he did add a paragraph warning parishes not to intervene too readily in a trade dispute.

reaffirmed as being in line with that of the Ministry of Health. That policy was soon tested, for in November 1925 a dispute flared up in the shale oil districts of West Lothian. The Parishes, twelve in all, defined it as a lock-out, decided upon a scale and enrolled 5000 workers and their families<sup>(1)</sup>. The Board could not agree and, worried about the financial position, called a conference to declare that no strike relief could be given under the 1921 Act, but that relief could be given under the 1845 Act to destitute women and children. The Board's Chairman remarked that,

"They had not any wish that any man should suffer any unnecessary hardship whatever. Those in authority over them [the Scottish Secretary] had permitted him to authorise Parish Councils to stretch the law to the extent he had indicated to prevent people suffering. They were satisfied that if Parish Councils used the 1845 Act properly there would be no undue suffering". (2)

The head of household (the striker) was to be the applicant and settlement was not to be pressed. Uphall Parish Council considered he had simply brushed aside the difficulties. The dispute was settled soon after and the policy never became contentious.

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1. the parishes were, Abercorn, Bathgate, Mid-Calder, West Calder, Carnwath, Dalmeny, Ecclesmachan, Kirkliston, Kirknewton, Linlithgow, Livingston and Uphall. The most detailed account of the developments can be found in Uphall PCM, 18/11/25, 20/11/25 and 27/11/25, Linlithgowshire Gazette, 20/11/25 and Edinburgh Evening News, 21/11/25; see Appendix 6G for note on food supply
  2. Uphall PCM, 4/12/25 Board's letter of 29/11/25; SRO HH 56/15 Chairman's letter to Gilmour, 1/12/25 where stated one reason why they had decided to go for relief under the 1845 Act was that it would have to come out of the current year's assessment and therefore parishes would "be less inclined to go in for indiscriminate giving"; Linlithgowshire Gazette, 4/12/25; Scotsman, 5/12/25 and Edinburgh Evening News, 2/12/25



At the same time as the Board was agreeing to the use of the 1845 Act, the Court of Session completely overturned the decisions of the lower Courts, 1903 to 1918 on the rights of dependents to receive relief<sup>(1)</sup>. A Poor Law Magazine commentator was very alarmed, because this meant in some cases that no interim relief could be given to any dependent in need pending an investigation. He considered it against the spirit of the 1845 Act. By 1925 therefore, law and practice were at variance.

The beginning of the General Strike in 1926 led the Cabinet to agree to Ministry of Health memorandum on relief and a circular was duly issued on 5th May<sup>(2)</sup>. Three days later, after repeated requests for guidance from parish councils, the Board issued a similar circular, which stated that, where relief could not,

"lawfully be given to the man" and "where acute destitution and suffering on the part of the man's dependents is immediately threatened, temporary relief in respect of such dependents may have to be afforded". (3)

It went on to state that relief could be given under the 1845 Act to a man unemployed if he was physically unable to perform work, and then gave the same scales of relief that were operating in England. Great stress was put on ensuring the Parish Council's financial position, and all unemployed relief was recommended at the now improved Unemployment Insurance Benefit level. The

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1. PLM, 1925, pp 3 and 56. "Rutherglen PC v Glasgow PC"
  2. see Ryan, op.cit., for a discussion of the English position; PRO CAB meeting of 5/5/26 and paper 184; for the wider aspects of the strike see J. Skelley (ed), The General Strike, 1926. (London, 1976); I. McDougall, Militant Miners. (Edinburgh, 1981)
  3. quoted in full, Edinburgh PCM, 17/5/26; see also Annual Report of the Board of Health, 1926. Cmd 2881 (PP 1927 Vol X) "Poor Relief during the Coal Mining Dispute".



miners' strike of 1926 however, turned out to be far from "temporary" and the circular was at best a reasonable attempt to reconcile practice with law.

With small units of administration on low rateable values, the Board rarely had trouble from parishes seeking to pay relief over their recommended scales<sup>(1)</sup>. Labour controlled parishes in Fife, tried to pay extra relief, but soon ran into overdraft difficulties, and consequently accepted the Board's recommendations<sup>(2)</sup>. Two parishes, Beath and Culross, which paid relief to single miners for a short time, were at first surcharged, but this was subsequently withdrawn<sup>(3)</sup>.

When pressed for the legal authority for relief, the Board frankly admitted that it was illegal. A letter to Bolness in August, similar to one sent to Dunfermline in May, stated,

"as you are aware, the primary duty of a Parish Council is to relieve destitution where it is found to exist. Moreover, it has been the long-established practice of Parish Councils in cases where actual physical suffering is immediately threatened, not to await the actual emergence of such suffering but to grant relief to prevent it ... It was having regard to these aspects of the situation that the Board, while recognising that on strict interpretation of the Law it might be held by the Court that there is <sup>no</sup> power to grant relief to the wives and children, as a class, of unemployed able-bodied men directly concerned in a trade dispute, felt justified in issuing to Parish Councils the recommendation". (4)

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1. for the scales in operation see Appendix 6G
  2. Ballingry PCM, 6/5/26. The Board at first issued the old circular on which the Parish wanted clarification; Beath PCM, 6/5/26, 18/5/26 and 26/5/26 "Report of Deputation to the Board; Culross PCM, 11/5/26 and 19/5/26 Board's letter of 17/5/26 desiring "uniform action in industrial districts" and noting the objections of 24 ratepayers.
  3. Beath PCM, 30/8/27 "Report from Board" and 25/10/27; Culross PCM, 18/10/27 Board's letter of 13/10/27. Culross's surcharge was £20
  4. quoted in the Edinburgh Evening News, 31/8/26 and Dunfermline Free Press, 29/5/26 "Deputation of Miners to Dunfermline Parish Council", see also 8/5/26, 15/5/26 and 22/5/26; Bo'ness PCM, 12/8/26m 23/8/26 and 30/8/26

Virtually all parish councils agreed to give relief to miners at the beginning of the strike, but, as costs soared and the "lock-out" became a strike in July, many began to have second thoughts. It was one thing to uphold the values of providing statutory assistance to those who were in immediate need, it was quite another for "honest" ratepayers to support labour against capital in an open and continuing struggle. Scales were therefore cut at first, but when ratepayers' objections became even more vociferous, particularly amongst the smaller parishes, all relief was stopped. The refusal of Lord Moncrieff in the Court of Session to grant interim interdict against Hamilton Parish on the grounds that "the balance of convenience" lay in the continuance of relief, seemed to have little effect<sup>(1)</sup>.

With increasing concern voiced in the House of Commons, the Board drafted a letter to these parishes<sup>(2)</sup>: It said,

"The Board view the Council's attitude with grave concern, as it practically amounts to the Council refusing to perform one of the main duties laid on them by statute, viz., the duty of ensuring that relief is afforded out of the Poor Rates to prevent injury through the effects of destitution".

Inspectors of Poor were also reminded of their personal responsibility to ensure that there was no acute suffering. Parishes were then asked to reconsider their decisions and the Board's

1. PLM, 1926, p 225

2. Scotsman, 12/6/26 "relief to Miners" where Labour MPs saw Elliot; Hansard Vol 196, 17/6/26, 22/7/26 and 28/7/26. Questions by Labour MPs over the reduction and withdrawal of relief at Ayr, Dailly and Carnwath; Cadder PCM, 13/9/26 Board's letter of 8/9/26 which seems to have been the same one Bo'ness was objecting to on 12/8/26. Subsequently labour MPs told Elliot the Board had not drafted "a better letter"



General Superintendents and Medical Officers were sent to investigate complaints of acute distress and malnutrition<sup>(1)</sup>. Out of about 100 mining parishes, at least thirty-one stopped relief before the end of the strike. Early in August, the Board was forced to utilise Government loans for those parishes whose banks were withdrawing overdraft facilities, even though Baldwin had agreed "to protect the position" of the parishes<sup>(2)</sup>. By the end of the strike, forty parishes were receiving these loans.

Whatever the pressures from the Board, parishes had also to contend with local pressure. At Dunfermline in June, 3,000 single miners, headed by four bands marched on the local poorhouse demanding admission<sup>(3)</sup>. After some "friendly conversations" and being told they needed a medical certificate, they marched away to Kircaldy's 200 bed Poorhouse. The threat of the withdrawal of relief at St Ninians led to the councillors being told they would be "torn limb by limb by the mob" unless they continued relief<sup>(4)</sup>. Faced

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1. Annual Report of the Board of Health, 1926, pp 172-3; and 1927. Cmd (PP 1928 Vol X) pp 185-9, especially comments over East Lothian; for local effect see Leslie PCM, 5/10/26 where General Superintendent of Poor visited every house and reported no ill-health
  2. SRO DD 10/242 "Hamilton Parish Council and 1926 Emergency Loan". After the interdict the local bank had become worried. Board's letter to the Goschen Committee, 26/7/26 and replies 31/7/26 and 19/8/26; DD 10/243 "Loans from the Committee on Poor Law Authorities"; PRO CAB Papers 363 and 374 of 1926 "Memorandum by Sir J. Gilmour on Poor Relief to Miners' Dependents"; Leslie PCM, 6/9/26 Board's letter of 31/8/26
  3. Dunfermline Free Press, 26/6/26 "Miners invade Dunfermline"
  4. St Ninians PCM, 11/8/26 and 17/8/26 payments continued; Stirling Journal, 19/8/26 "Miners Demand Relief at Bannockburn"



with ratepayers' complaints and miners' demands Cumnock and Auchinleck agreed to hold a referendum<sup>(1)</sup>. Cumnock's ratepayers agreed that relief should continue, while Auchinleck's did not. The procedure was, of course, entirely illegal. Other ratepayers were not as contented. In Lanarkshire, the Colville Company notified Dalziel Parish on the 12th July that they intended to take High Court action to stop relief<sup>(2)</sup>. The Parish unanimously agreed to defend the action. The extent of ratepayer feeling in the area as well as the general embarrassment of the Government and the Parishes can be seen in the Hamilton Advertiser's leader on the incident,

"The Board cannot make laws; they can only administer the existing laws as they exist, and not as the Board thinks they should exist. Carlisle's Chairman has answered that the Government will make it legal. Parish Councils should take notice they are not there to administer illegal relief, in the hope that it may be made legal. They should be brought to the bar of justice whether or not the Government makes illegality legal". (3)

The Parish Council's Association also agreed. By a large majority they approved of a motion condemning the Board's action and asking for the withdrawal of its circular<sup>(4)</sup>. Doubt was even expressed of the legal liability of an inspector of poor who carried out his parish's wish and withdrew every emergency relief. Tempers amongst this circle continued to rise with the failure

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1. Cumnock PCM, 12/8/26 and 9/2/26 where the turnout was 72%  
Auchinleck PCM, where the turnout was 67%
  2. Dalziel PCM, 13/7/26; Scotsman, 31/7/26 "Court of Session, Lord Ordinary, Colville and Sons and others v Dalziel". The interdict was refused on the understanding that no new assessments would be raised before November
  3. Hamilton Advertiser, 24/7/26 "Poor Law Relief"
  4. Scotsman, 2/10/26 "Parish Councils' Association Conference".

of the Colville action to be heard in Court. The Hamilton Advertiser noted in late October that many in the district felt the case had been delayed so long that the Government had interfered in the administration of justice<sup>(1)</sup>.

The declaration by the Court of Session in December, when the strike was over, that dependents' relief was illegal was no surprise<sup>(2)</sup>. Lord Constable's judgement reflected the traditional view of Poor Law relief stating that at best temporary relief might have been possible, but only if the Parish pursued the miner for the failure to maintain his family. The Scottish Secretary, who already had a draft of a retrospective Bill, quickly introduced the necessary legislation<sup>(3)</sup>. The Bill's passage was, as Gilmour predicted, one of the most testing the Board had ever faced. But the message of the strike was clear;

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1. Hamilton Advertiser, 16/10/26 "Court of Session Action"
  2. PLM, 1927, p 1 "David Colville and Sons and Others v Dalziel Parish Council", given on 15/12/26. Lord Constable had been the Solicitor General in 1922
  3. PRO CAB Cabinet meetings 54 on 10/11/26, 62 on 8/12/26, 66 on 17/12/26. Paper 34 on 1927 "Memorandum on Poor Relief" dated 1/2/27 and Paper 44 "Reply by Chancellor" on 9/2/27 who did not want to reimburse parish councils. Gilmour in particular was anxious that the public's confidence in "the integrity of the law and its administration" should be restored; Hansard, Vols 202-3, 1st Reading 17/2/27, 2nd Reading 22/2/27, Committee 24/2/27 and 3rd Reading 1/3/27. The Act allowed 40% of expenditure to be reclaimable off the Treasury. All future relief, ordinary, unemployment or strike could be given by way of a loan; see also Glasgow Herald, 21/2/27, Leader

the Government was unwilling to accept either the widespread physical deterioration of the population or suffer massive public disorder, no matter how abhorrent the causes. Indeed what the strike had forced the Government to acknowledge was that within a more mature capitalist economy the promotion of an ameliorative welfare policy was inimical to the maintenance of public order. It could not on the one hand have a Board of Health whose constitution implied developing social organisation and on the other ruthlessly pursue economic policies which redistributed economic rewards from labour to capital. Thus the strike found the Government having to confront the apparent illogicality of its own strategy. It played soft and hoped no lasting damage would be done to its statutory welfare responsibilities. Another major re-orientation in welfare policy had occurred.

The development of unemployment policy has so far indicated that relief was unconditional, that is to receive relief the unemployed had only to demonstrate the inability to obtain employment. Almost as soon as the 1921 Act had been passed parish councils became concerned both at giving monetary benefits without some form of "test" and the possibility of large numbers of otherwise respectable people becoming "demoralised" by public relief over a long period<sup>(1)</sup>. Unless a parish was a landward

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1. A review of relief work and poorhouse test policies can be found in the evidence of J. Jeffrey, Secretary of the Department of Health and M. A. Reynard, Inspector of Poor, Glasgow to the Royal Commission on Unemployment Insurance (1931-33) given on 21/1/31 and 20/3/31; see also SRO DD 10/191 "Relief Schemes 1925-34" and HH 31/36/2 "Relief Schemes"



authority it did not have the power to offer any work in return for relief. However with the continuation of unemployment the clamour for amending the law to allow parishes to become involved in the provision of relief work grew<sup>(1)</sup>. The 1923 Act allowed this and small schemes began in Edinburgh, Govan and Glasgow<sup>(2)</sup>.

Throughout 1924 the Board and the larger parishes were becoming aware that structural unemployment was leaving many men without work for long periods. During 1925 it was found that 24% of those on poor relief had been out of work for longer than a year<sup>(3)</sup>. In Glasgow and Govan, the figure was nearly 70%. Thus when the miners' strike receded in 1927, the Board again began to reconsider the issue and a new pessimism entered their thought. Ahead of the Industrial Transference Committee's Report, the Board concluded that the Scottish economy could not possibly absorb the "surplus industrial" population of the coalfields and the Clyde basin<sup>(4)</sup>. The "natural movement" of free labour should not therefore be impeded by the granting of unconditional public assistance. Their 1927 Report summed up this new policy.

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1. Edinburgh PCM, 10/5/22
  2. PLM, 1925, p 145
  3. Annual Report of the Board of Health, 1925. Cmd 2674 (PP 1926 Vol XI) p 275
  4. Annual Report of the Board of Health, 1927, pp 328-32; SRO DD 10/184 "Inter-Departmental Committee on Unemployment, 1928" for a more detailed and sympathetic analysis of the Transference Schemes see, D. R. Pitfield, Labour Migration and the Regional Problem in Britain, 1920-1929. (PhD Thesis, Stirling University, 1973)

Long-term unemployment affected,

"the possibility of young men and women becoming trained in the habits of industry. The dangers associated with the existence of large numbers of young men and women growing up in a spirit of reliance on a considerable measure of support from public funds are sufficiently obvious and need not here be stressed. Those who show an unreasonable reluctance [to move] should be made clearly to understand that maintenance out of the poor-rates was never intended to be an alternative to work, and that if work locally is not available efforts must be made to find work elsewhere".

They concluded this statement on policy by insisting that,

"unemployment itself is not a qualification for receipt of relief; there must also be genuine inability to find work".

They argued that parishes should offer to pay the expenses of those willing to migrate and those that were unwilling to move should be sent to the poorhouse<sup>(1)</sup>. By an active policy of disqualification the Poor Law would "push" labour away from "stagnant pools" of industry.

The Board had thus come to accept that the Scottish economy was in deep decline and that it was in Capital's interests that labour should not be immobile. To the redundant labour force, by soaking up rate support would prevent the necessary readjustment of industrial costs. Unless these declined, an economic policy based on attracting new capital into Scotland was virtually untenable. Thus Cambuslang Parish was specifically told that

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1. this was allowable under the 1924 Act, see PLM, 1924, p 205

families of the long term unemployed should not receive outdoor relief unless the man himself accepted relief in the poorhouse<sup>(1)</sup>.

In the Board's view,

"the automatic and unconditional payment of outdoor relief must inevitably result in the perpetuation of the problem".

The Parish was appalled. They replied that,

"It has never been the practice of this Council to send a householder to the Poorhouse and run the risk of breaking up the home. To do so in an able-bodied case would mean keeping the breadwinner in an Institution where he would be unable to look for or obtain employment, and would entail extra cost on the rates".

Other parishes were equally appalled. Bonhill dismissed the Board's letter out of hand, they "could not subscribe" to its contents<sup>(2)</sup>. Blantyre, at first agreed, but when the local miners' union told them that breaking up families was inhumane and would lead to "trouble" they allowed it only where the doctor agreed it would not harm the family<sup>(3)</sup>.

The Board's attempt to use the Poor Law as an active instrument in the relocation of labour was a failure. However there still remained the policy of offering work outside and inside the poorhouse for those deemed lacking in the "work ethic". The early attempts to utilise relief work as a way of testing the unemployed had not turned out to be a success. By the sheer pressure of the more "respectable" short-term unemployed, Glasgow had been forced to utilise its scheme at Woodilee Asylum

1. Cambuslang PCM, 27/6/28

2. Bonhill PCM, 11/6/28

3. Blantyre PCM, 7/6/28, 26/7/28, 7/8/28 and 31/8/28; Bothwell and Cadder were also affected. It should be noted that all the parishes concerned were under ratepayer control.



for them and not for the long term unemployed. As a result Glasgow like other parishes began to send more and more of their long term unemployed to the poorhouse<sup>(1)</sup>. Soon all the major poorhouse governors began to complain that their poorhouses were overcrowded and that the lack of discipline amongst young inmates was leading to widespread disruption in ordinary daily routines<sup>(2)</sup>. They appealed for these inmates to be removed to labour colonies where they would be forced to undertake work appropriate to their character and abilities. After a "strike" of Poorhouse inmates in 1927, Govan was forced to act and a special work retraining scheme was established at their Gattlock Asylum<sup>(3)</sup>. Glasgow soon followed with a similar one at Lenzie. Edinburgh used their old Distress Committee labour colony. This time they all set wages distinctly below the normal for the trade. It was important for the workers to realise that any form of Poor Relief was "less eligible" than regular work. By the end of 1928 this tough policy of offering indoor relief to large numbers of men and forcing them, if they wanted their families to receive any benefits to accept relief work, began to worry Labour Councillors. After hearing disturbing reports about the Barnhill Poorhouse in Glasgow the Councillors inspected it and found their worst fears substantiated. Large numbers of young men were

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1. SRO HH 40 123-148. In 1922, 166 unemployed were in poorhouses. By 1926 this was 502 and by 1928 it was 602. Then the figures included 45 wives and 115 children. Two thirds of them were in either Edinburgh or Glasgow poorhouses
2. Edinburgh PCM, 7/3/27; Glasgow PCM, 21/5/25; Dundee PCM, 19/2/25; Dalziel PCM, 28/6/27; Falkirk PCM, 17/1/27; Omoa Combination PM, 20/3/24; Govan PCM, 1/6/27 and 19/8/27
3. Govan Press, 3/6/27 "Strike at Merryflats Poorhouse"

seen milling around with little to do except sell firewood to homes around the institution<sup>(1)</sup>. They were told that the younger men were being initiated into unsavoury practices by the older more hardened vagrant types. Homosexuality was alleged to have been practiced. At the same time, encouraged by the NUWM and local trade unions worried about the undercutting of wages, the relief workers went on strike.

When Labour returned to power in 1929, both Adamson and Johnston, the Scottish ministers, wasted little time in using their offices to alter Departmental policy. The use of the poorhouse for the unemployed had to stop and relief work should be reformed to allow for two categories of workers. The first class, the most numerous, those who could not find any employment and were otherwise "respectable" should be offered work with a "fair wage" and "conditions" clause. Their employment should simply be to maintain their work record for prospective employers. For the others, the beggar, the petty criminal, the bookie tout and the drinker, the "test", as Johnston put it,

"ought to be not what the man was actually able to turn out but evidence of his willingness to work".<sup>(2)</sup>

A special scheme of more graded work for self-improvement should be devised.

After Johnston had arranged a favourable Government grant for their

1. SRO DD 10/237 "Lennox Castle Relief Works"; Glasgow PCM, 28/12/28, 5/2/29; Glasgow Trades Council Minutes, 2/8/29, 12/11/29, 26/11/29 and 10/12/29
2. "Lennox Castle Relief Works..." op cit.



Lenzie scheme, Glasgow agreed to adopt this new policy<sup>(1)</sup>. The poorhouse test was dead. So too was the use of relief work to test the claims of the ordinary unemployed. As the Department of Health (which had taken over the functions of the Board in 1929) explained,

"To force the head of household into the poorhouse, involving his temporary separation from his family savours of hardship. Again a man who has experienced a long period of unemployment may, although he has made reasonable efforts to find work, has been unfortunate in his search and he resents being classed with, and compelled to live in close association with, men of bad character". (2)

Character reformation through administrative regulation could only be aimed at a very small minority who were unemployed and had clearly defined social handicaps. For the unemployed, detailed inquiry into character was no longer a condition of relief, it was simply unemployment. It was another re-orientation of policy.

With a few months of Johnston agreeing with Glasgow over the "test" parish councils had been abolished. The 1929 Local Government Act transferred their powers to the local authority, either burghs over 20,000 or county councils. The Department was quick to note a qualitative change in attitude towards the Poor Law<sup>(3)</sup>. The much larger populations and rateable values, combined with the new system of local government grants meant councils were less concerned to conserve economic resources. Moreover Poor Law relief was

1. Glasgow PCM, 3/9/29. They also agreed that the poorhouse would only be used for those unemployed more than five years. In May 1931, Glasgow had 48 unemployed in its Poorhouse (compared with 128 in 1928), 1250 in ordinary relief works and 343 in the special scheme at Palacerigg. By 1935, this was 50, 54 and nil
2. Annual Report of the Department of Health, 1929. Cmd 3529 (PP 1929-30 Vol XIV) pp 168-9
3. Jeffrey's evidence, op.cit.; Annual Report of the Department of Health 1930. Cmd 3860 (PP 1930-1 Vol XIV) p 162



only one of their many functions. The Councillor who decided your Public Assistance (as it was now called) also sorted out your refuse collection and made sure the trams ran on time.

During the miners' strike the old Board had recommended that the September scale be withdrawn and the Parish Council adopt the improved unemployment benefit scale which virtually all those who still had the September scale did. This together with further improvement in unemployment benefit in 1930 and the changes in regulations which allowed those previously disqualified to receive non-contributory benefit, meant that the numbers on the poor rolls declined<sup>(1)</sup>. The new councils could therefore afford to be generous and have higher scales of benefits<sup>(2)</sup>.

This increase was welcome news for the Department. It had come under pressure from backbench Labour MPs to demonstrate that despite the financial stringency of the previous decade the children of the long-term unemployed had not unduly suffered<sup>(3)</sup>. Their new survey, based on the school and child welfare medical records of over 100,000 children again re-emphasised the results of earlier surveys. It established that the major factor affecting the growth and development of children was the size of family income. Although no widespread causes of concern were noted, the Department's Secretary wrote with satisfaction that the "social services" had worked well in preventing any major retardation in child health.

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1. see for instance, Glasgow TCM, 23/2/21 "Memorandum by the Corporation of the City of Glasgow to the Royal Commission on Unemployment Insurance"
  2. Royal Commission on Unemployment Insurance. Evidence of R. B. Walker, County Clerk, Lanarkshire; see Appendix 6H for typical scale
  3. SRO HH 64/51 "Inquiry into the Physical Condition of Children in Scotland whose Parents have been in Receipt of Unemployment or Poor Relief for a prolonged period, 1930-1"

He concluded by saying the value of the Reports lay, "in showing no action was called for than in indicating new lines of social amelioration". His statement was soon tested because with the demise of the second Labour Government in August 1931, cuts in benefits were announced<sup>(1)</sup>.

Unemployment benefit and the new Transitional Payments, operated by the Public Assistance Committees but paid for by Central Government, were cut by 10%. Councils had by law to operate these new scales<sup>(2)</sup>. Transitional payments, with their extended regulation, embodied the first nationally defined needs level and Councils were under pressure to adjust their own Poor Law unemployment scales with it<sup>(3)</sup>.

The issue for the unemployed, approaching 40% of the workforce in many towns, was clear. With mass unemployment, now worldwide, there was little value in pretending that Scotland's problems were unique and could be solved by emigration or the careful husbandry of the National Exchequer<sup>(4)</sup>. The focus of attention now switched to the continuation of public financial support. Few believed that in the short run there could be any return to even the unemployment levels of the 1920's. The Labour Party, the unemployed committees

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1. for the development of a British national minimum for the unemployed see N. Branson and M. Heineman, Britain in the Nineteen Thirties. (St Albans, 1973) Chapters 1 to 4; J. Stevenson and C. Cook, The Slump, Society and Politics During the Depression. (London, 1977) Chapters 9, 10 and 13; F. M. Miller, "The Unemployed Policy of the National Government, 1931-6", Historical Journal, (1976) Vol 19; J. Fulbrook, Administrative Justice and the Unemployed. (London, 1975) Part 2
  2. for example see. Glasgow TCM, 9/10/31 "Letter from Department of Health 7/10/31 on the Order in Council Imposing a Duty on the Local Authority". 2/11/31 "Memorandum by Director of Public Assistance on the Order and Scales of Benefit" and 16/11/31 "Memorandum on Disability Pensions".
  3. for a comparison of scales see Edinburgh TCM, 21/11/33. Only Falkirk and Clydebank refused to cut their scales. Both were ratepayer controlled
  4. the gloom was also reflected in official surveys, see The Board of Trade, An Industrial Survey of Scotland (1932)



and others now set their sights on arguing that local councils should modify their own Poor Law means test to allow Transitional Payments to be supplemented out of the rates. At Glasgow, the Council received virtually every month a deputation from local trade unions and ex-servicemen's organisations pleading for some modification to the scales<sup>(1)</sup>. In Renfrewshire, the Paisley Presbytery joined the action and wrote to express its concern at "those suffering hardship under the means test" and urged the County Council to "operate it with sympathy and generosity"<sup>(2)</sup>. Elsewhere more direct action was taken. Fife found that the local District Committee in Lochgelly refused to be a party to the cuts and the County Council had to set up its own sub-committee to administer the scheme<sup>(3)</sup>. But even where Labour councillors were able to persuade their colleagues to adopt less harsh policies, the Department was soon in action. Dunbartonshire were told that their proposal to ignore the value of war disability pensions was "contrary to the principle of the Poor Law"<sup>(4)</sup>. All household income had to be taken into account.

By the middle of 1932 the issues had become clearer. Deputations and local Labour Councillors concentrated their attacks on six

1. These included, the Inter Union of Ex-Servicement, the Govan Branch of the British Legion, the Glasgow War Pensioners Committee, the T & GWU, the Amalgamated Society of Woodworkers and the Glasgow Trade Council
2. Renfrewshire CCM, 10/10/32
3. Fife CCM, 6/11/31 and 18/11/31. As in other Counties, the Public Assistance day to day duties had been developed to these separately elected Committees
4. Dunbartonshire CCM, 16/11/31 and 8/1/32 Department's letter of 4/1/32. They were insisting that scales were only a guide to individual treatment and that "classes" of applicants could not be decided in advance



areas of policy; the inadequacy of the scales, the failure to ignore the full value of war disability pensions, the insistence on including most of a family earnings, savings and income from boarders, and lastly from reducing scales where there was more than one family in the household<sup>(1)</sup>. In Glasgow 45% of recipients suffered some reduction from the operation of the means test. Greenock at 40% was little better<sup>(2)</sup>. Although strenuously denied by Glasgow's Inspector, many believed that the means test broke up family homes.

Throughout 1932 and 1933 an alteration in the political control of Scotland became apparent. The ratepayer hold on local councils began to dissolve. In Glasgow under the pressure of mounting unemployment, diminishing wage packets and the prospect little material advance, the traditional affiliation of the skilled Protestant working class to the values of a "progressive" property owning capitalism was fractured. At first they voted for a new Party, Protestant Action, ostensibly over Catholic interests on Education Committees but then as the depression worsened, in greater numbers for Labour candidates<sup>(3)</sup>. In other authorities, although the fracturing was less religiously orientated, with Labour candidates promising to restore all cuts, the same process occurred

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1. For instance seen, "Report by the Director of Public Assistance in connection of the request by the deputation of Women Members of the ILP that the Corporation petition the Government to abolish the Means Test", Glasgow TC Special Report, 7/8/32
  2. Greenock TCM, 26/11/31 and 10/12/31
  3. this information taken from the election reports in the Scotsman and the Glasgow Herald

and the Party moved from controlling less than 5% of the population in 1931 to over 40% in 1935.

This alteration in political control was underlined during the Communist inspired NUWM marches of 1932 and 1933. Their first march on the Scottish Office in Edinburgh during early 1932 attracted only minor attention by the press and the Departments concerned<sup>(1)</sup>. The next in June 1933 was different. A much longer march from different areas of Scotland was organised and when it reached Edinburgh, thousands of the local unemployed, many of them skilled, joined the procession as it reached Princes Street. An Assistant Secretary at the Scottish Office was quick to complain about the disruption it caused to the City Centre and noted in particular that while many in the Clubs and Offices felt uneasy the local police had adopted a very lenient attitude towards disturbances of the peace. He told his Permanent Secretary that "it was by no means an edifying sight and was a very disagreeable reminder of what had taken place during the General Strike". Another Assistant Secretary went further and commented that if the marchers "had broken loose, the police could not have prevented a serious riot".

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1. SRO DD 10/245, 10/246/1, 10/246/2. "NUWM 1929-36", DD 10/365 "The Control of Unemployment Marches 1933"; H. McShane and J. Smith, No Mean Fighter, (London, 1978) Chapter 16 gives a view from the NUWM; M. Turnbull, "The Attitude of Government and Administration Towards the 'Hunger Marches' of the 1920's and 1930's", Journal of Social Policy, (1973) Vol 2, provides an account of the Government's reluctance to deal with the NUWM; for an assessment of Chamberlain's desire "to take relief out of politics", see E. Briggs and A. Deacon, "The Creation of the Unemployment Assistance Board", Policy and Politics (1973) Vol 2, p 43

Thus Labour had clearly gone beyond its base support of the 1920's, the miners and the inner city unskilled workers. In particular it had been able to attract the skilled worker, those who in the 1920's had retained sufficient belief in both capitalism's ability to provide material rewards and in the Conservative's strategy of "progressive" domestic reforms. What had been of somewhat peripheral concern to the majority of these workers since the unemployment crisis of 1921 had, with the severity of the depression, been brought back to the fore as the single most dominating issue of polls. Moreover the force of this change in working class attitudes had altered sentiment within Government, If the Police felt enough sympathy with the unemployed's plight not to use draconian measures, as they had done in 1926 and if the Scottish Office officials felt annoyed that the Secretary of State was compelled by Cabinet decision not to meet the marchers then it showed how much the balance of argument had swung in favour of more ameliorative policies.

The direct challenge to Government Policy came at the end of 1933 when Labour swept to power for the first time in both Glasgow and Greenock. The issue of public assistance had been so overwhelming at Greenock that 75% of the electorate had voted, greater than at the previous general election<sup>(1)</sup>. Glasgow's new leadership, however moved cautiously. It delayed implementing its election promises

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1. Greenock Telegraph, 8/11/33 "Historic Election"



until it heard from the Department and its Parliamentary Under-Secretary, N. Skelton, that it had no immediate plans to prevent any increase in benefits<sup>(1)</sup>. They were told, in somewhat vague language that so long as "needful sustentation" was being met in every individual case the Department could not intervene. Later Skelton re-emphasised the point by declaring the affair to be "a purely domestic one". However Glasgow still moved with caution. It originally proposed to restore part of the head of household's cut<sup>(2)</sup>. Only at the last minute under threats and taunts from the more left wing splinter ILP group, did they propose to increase child allowances. After the officials had been re-assured by further Scottish Office contacts their position still held, the new scales were introduced<sup>(3)</sup>.

However, it was at Greenock that the issue was tested to the full. Here the Councillors were less cautious. Children's benefit went up immediately to 3/6d<sup>(4)</sup>. The maximum was abolished and the means test modified for family earnings and pensions. Again the Department refused to be drawn on the legality of their moves. Skelton, in particular would not say whether he felt unemployment benefit scales were adequate for "needful sustentation"<sup>(5)</sup>. The

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1. Glasgow TCM, 27/11/33, 15/1/34 "Letter of Department", 22/12/33 and 22/1/24; Glasgow Herald, 16/1/34 "Relief Scales; 1/6d more"
  2. Glasgow TCM, 22/1/34 and 1/2/34; Glasgow Herald, 2/2/34
  3. Glasgow TCM, 9/2/34; Glasgow Herald, 6 to 12/2/34 ad passum. The officials had gone on strike fearing a surcharge
  4. Greenock TCM, 1/12/33 and 15/12/33; Glasgow Herald, 16/12/33 "Greenock Relief Increases passed by Corporation. Town Clerk's Opinion that they are Illegal".
  5. *ibid.*, 21/12/33 and 28/12/33; Greenock TCM, 2/1/34. "Letter from Department, 28/12/33"

auditor, who had independent powers of scrutiny under the 1894 Local Government Act, had different ideas. He did object and the Scottish Secretary, Sir Godfrey Collins, the local MP was forced to establish a Court of Inquiry<sup>(1)</sup>. It sat in early August 1934<sup>(2)</sup>. The issues before the Court soon became obvious. The Auditor believed in traditional Poor Law principles. For him the only assistance the Council could give was to relieve absolute destitution. He lamented the introduction of a new principle; that of ensuring "adequate maintenance". It meant not only relieving absolute monetary destitution but also considering the more general question of the health of the people. Arranged against him, the Labour Councillors argued that times had altered. Long term unemployment has sapped the energy and the savings of the ordinary, decent working man. In Greenock alone, 7,000 had drawn out all the savings they had accumulated in more prosperous times. Mothers starved themselves so that their children could eat proper meals. To avoid the rigid imposition of the family means test on working relatives many sent their daughters away to become domestic servants. Those daughters that remained, one Councillor said, would not find it possible "to prepare" themselves as citizens of the community by providing for their "bottom drawer". The very foundations

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1. *ibid.*, 6/4/34. The objection was to £79 paid over a two week period in January; Glasgow Herald, 13/6/34 "Greenock Relief Payments. Bombshell to Labour Members. Court of Inquiry Surprise"
  2. The Court was under the jurisdiction of the Sheriff of Argyll. He had two Scottish Office assessors. Each side was represented by appropriate Council. See the Greenock Telegraph and the Glasgow Herald reports on proceedings 3/8/34 to 11/8/34 *ad passum*

of a family based democracy was threatened. Another argued that benefit should allow for the costs of recreation because without anything to do the long term unemployed would become "progressively demoralised". One medical witness claimed that the old scale was 30% below that necessary for reasonable physical efficiency.

All of this evidence pointed to one thing, relief payments should embrace adequate maintenance, a policy that allowed for comparison between different economic groups in the community. Throughout the Inquiry, the statements and the public response clearly showed that it was not the Labour Councillors that were being grilled, but the Auditor's traditional philosophy.

Collins, early in 1935 told Greenock that the payments they made were not illegal<sup>(1)</sup>. Although the Councillors were not informed of the Sheriff's views, the Provost reported that the Sheriff had told him the information the Council had put forward to the Court, "would be very useful in the laying down of the new UAB scales for children"<sup>(2)</sup>.

However, unknown to the Councillors and indeed to anyone outside Government, the Department, under Cabinet instructions had in the early Spring of 1934 begun yet another survey of the physical

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1. Greenock TCM, 15/1/35

2. Greenock Telegraph, 14/1/35 "Labour Councillors Vindicated"



condition of the long term unemployed's children<sup>(1)</sup>. Using more sophisticated medical and statistical methods the Medical Officers again showed the effects of the lack of good wages. The unemployed had fewer household goods, fewer personal possessions, had poorer quality homes and ate an inferior diet<sup>(2)</sup>. Moreover for any given length of unemployment, with family size, distress increased. The general physical condition was disquieting enough for him to say that it could possibly be "a prelude to a more serious organic breakdown if conditions prevailed over a long period". A senior official was however, more than disquieted. He told the Department's permanent secretary that he had,

"read with some unease the report of the effects of unemployment of health and he had encountered enough danger signals to render necessary a continuation of more direct Departmental supervision". (3)

To him only the more generous scales of relief for children that were becoming available with the restoration of the cuts would ease the situation.

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1. Glasgow Herald, 14/1/35. "Relief Awards not Illegal". SRO HH 64/151 "Enquiry into the Physical Condition of Children in Scotland whose Parents have received Unemployment Benefit or Poor Relief, 1934-7". The Cabinet had authorised the survey on 28/2/34 and the Report was completed by 29/3/35, the Scottish Ministers receiving it on 16/7/35; PRO CAB Meeting No 7 of 1934, 28/2/34
  2. These same points were also evident in other surveys. See for instance, E. P. Cathcart (et al) A Dietary Survey in Terms of the Actual Foodstuffs Consumed. (London, 1936) which looked particularly at a group of unemployed workers in Glasgow and an inter-class comparison in St. Andrews; the Carnegie UK Trust, Family Diet and Health and Health in Pre-War Britain. (Dunfermline, 1955) especially Tables R and 14; see also J. B. Orr, As I Recall. (Glasgow, 1964) Chapter 13 for the development of dietary surveys
  3. "Enquiry into the Physical Condition ..." of cit.

Collins, now armed by a public Court of Inquiry and his own Department's survey understood that there had been a shift in attitudes towards the relief of distress and the needs of those severely affected by economic hardship. Throughout late 1935 and the first half of 1936 he pressed on the Cabinet Committee dealing with the new UAB's regulations the need for special consideration to be given to the long-term unemployed<sup>(1)</sup>. On his estimation if the new proposals were implemented 50% of the unemployed in some areas would suffer substantial cuts in their benefit. Not only would this renege on the 1935 election promise, but it would also lead to a lowering of health standards. The industrial part of Scotland was now one large distressed area and he believed that "public opinion had come to the conclusion that generous treatment of the unemployed was a right cause". The sustained campaign against the proposals had its effect and the Cabinet agreed to a package that would reduce the numbers affected to only a third. In half of those cases the cut was to be less than 2/-. The Poor Law in Scotland had become a very important weapon in determining the policy and the practice of the new national system of unemployment relief.

Collins and Skelton had realised that in a period of economic

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1. PRO CAB 27/575 "Committee on the Regulations of the UAB 1934-6", particularly CP 179 "Memorandum by the Secretary of State for Scotland" 23/6/36, Minute of 11/5/36 where stated he was "not prepared to defend the indefensible" and 19/6/36; T. Lynes, "The Making of the Unemployment Assistance Board Scale" in the Supplementary Benefits Administration Paper No 6, Low Income (1977). I am greatly indebted to Mr Lynes for informing me that his latest work on the origins of the UAB, funded through the SSRC, confirms the impact of Collin's campaign

depression any working class belief in developing individual rights through property ownership had evaporated. It appeared too exploitative a concept, one whose economic application had not produced sufficient material rewards nor sustained public order. If the Conservatives were to retain the electoral hold on the working class vote, particularly amongst the skilled, as they had done in the 1920's, then the recasting of unemployment relief in a capitalist State had become an urgent priority. The establishment of a more ameliorative and humanistic nationally administered policy that neither impinged on character reformation nor upheld the values of rugged individualism was essential. If that meant redistributing resources away from the rate and tax payer, then so be it.



CHAPTER SEVENHOSPITALS AND THE PURSUIT OF COLLECTIVE WELFARE GOALS, 1919-45

With many poorhouses in 1914 being taken over by the military for the needs of the war wounded, Poor Law medical development came to an abrupt halt. By 1919, when the poorhouses began to be returned, the Minority Report's recommendations that medical care ought to be transferred from the Poor Law to the Public Health Authority had gained considerable support by the deliberations of the McLean Committee. In Scotland these recommendations in part reflected the failure of the Poor Law to improve and destigmatise its medical services. Even in Glasgow, where an attempt had been made to improve them, the working classes still preferred to join the waiting lists of a voluntary hospital. The indignity of becoming a "pauper" was too great. For them the voluntary hospital, with its extensive and extending facilities offered the kind of treatment and services they desired. The regular financial contributions, the flag days and the special appeals for funds did little to diminish the respect and prestige these hospitals had in the country.

However, for the voluntary hospitals, the failure of the Poor Law in Scotland to develop a complementary service meant even greater pressure on their already stretched resources. These aspects, together with an attempt to measure service deficiencies came under wartime review by the Health Insurance Commission<sup>(1)</sup>. They

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1. Report on the Hospital and Nursing Services in Scotland. Cmdnd 699 (PP 1920 Vol XXII). The survey was completed in 1917; for this Chapter see also Appendices 2A, 2B, 3D, 5D, 5E and 7A

concluded the first Government survey of Scottish Hospitals by stating:

"In Scotland with its concentration of specialist skill and large general and specialist hospitals in urban centres situated asymmetrically to the less thickly populated areas dependent upon them, there is normally a lack of accessibility to and of adequate accommodation for institutional treatment for other than a simple kind [in the latter areas]. The lack of accommodation in voluntary hospitals is mainly surgical, but extends to convalescent treatment and incurable diseases generally. Many of the smaller hospitals are ill-equipped and in hospitals controlled by the local authorities, there is a need for more accommodation for T.B. and infectious diseases.

There is no convincing evidence that the flow of income to voluntary hospitals is diminishing, but it does not grow in sufficient volume even with the flow of funds raised by special appeal, to meet the ever increasing pressure upon accommodation in hospitals situated in the more thickly populated areas. The system under which several hospitals in one centre are administered independently involves considerable waste".

The problems of Scotland's hospital system by the end of the war were therefore well known, with an uneven distribution of beds, a lack of comprehensive specialist care, doubt over future financing, no policy to guide development and no system to co-ordinate efforts. Faced with Statutory and Voluntary Sectors that had rarely talked to each other and the Voluntary Sector that prided itself in its independence, the new Board of Health's problems in establishing some mechanism by which its statutory goals could be achieved in hospital provision were formidable.

In contrast to the trouble over unemployment relief, the 1920's witnessed little evidence of overt political agitation to rationalise  
(1)  
and improve hospital services. Other than wanting the transference of Poor Law hospitals to the Public Health Authority, few Labour Parish Councillors or candidates spoke openly of major structural

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1. The only organised unrest occurred at Govan, see Chapter 6, page 238



alterations in the existing system<sup>(1)</sup>. Even James Maxton, MP for Bridgeton found it hard to advocate the wholesale nationalisation of hospitals. In his evidence to the Hospital Services (Scotland) Committee in 1925, he recognised that working men often felt annoyed and irritated by the waiting lists and the methods of collection<sup>(2)</sup>. But he also recognised that for working men voluntary hospitals were seen as centres where, "the finest equipment and the most skilful physicians could be obtained, and that"they did not want anything inferior under a public service". Labour's policy of wanting a State organised health system was, therefore, tempered by a belief that it could only be brought about by "the least disturbance possible to the existing agencies". The voluntary hospitals should be given three options; nationalisation, receiving some form of grant or remaining independent. If they chose the latter, then the State, through the local authorities, should "fill up the gaps". Maxton acknowledging ordinary working class

1. for a local debate by councillors on the hospitalisation of the poorhouse see Dunfermline Free Press 22/11/19 and 31/10/25 "Parish Council Elections"; Forward, 19/7/24 "Should Parish Councils be abolished". Cllr. A. Ritchie (Glasgow) and replies 2/8/24, 16/8/24, 23/8/24 and 30/8/24; for a comparable English accounts of the 1920's, see Abel-Smith, op.cit., Chapters 18 to 23; G. M. Ayers, England's First State Hospitals, 1867-1930. (London, 1971)
2. Reported in the British Medical Journal, 1925 Vol 1 p 280, evidence given on 27/1/25; 25,000 Stirlingshire wage-earners contributed regularly to Falkirk Hospital, *ibid.*, 1925 Vol 1, p 900; out of an expenditure of £118,000 in 1921, Glasgow's Royal Infirmary obtained £30,000 from local industrial workers, "The Hospitals of Glasgow, *ibid*, 1922 Vol 1, p 884



sentiment was not prepared to overtly disturb the existing pattern of services.

There was little doubt which the voluntary hospitals preferred. Their views were skilfully expressed by a Glasgow surgeon, Dr Beaston<sup>(1)</sup>. He recognised that times had changed and that hospitals had to reform their financial structure. They were no longer only providing treatment to the necessitous sick poor, but to a wide section of the community who could afford to make some contribution for their treatment. Hospital savings associations he argued should be established to cater for the needs of "a deserving class of the community whose means debar them from obtaining in serious illness modern expensive methods of treatment and nursing". The principle of self-help ought to pervade the system, it would keep out the "class interference" that the Health Insurance scheme had introduced. This new maintenance system he suggested, under medical control, was essential not just for the voluntary hospitals, but for the public at large because no other system could engender the kind of professional dedication and carry out "great educational" work which this one did. In the early 1920's, Beaston's views embodied the central problems facing the voluntary hospitals, namely, how to obtain a secure income, how to continue and extend treatment to all those in medical need and how to maintain their professional independence.

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1. *ibid.*, 1923 Vol 1 p 532 "The Maintenance System for Scottish Hospitals"

Change was necessary, but not if it meant State control.

If there was little political pressure for radical change in the 1920's, then there was certainly considerable medical pressure. Scottish health indicators began to show an alarming trend that was a distinct threat to the new Board's constitution. The strength of the Scottish medical profession and hospital service before the war had largely been founded on the ability to demonstrate that it could care for people better than any other country. Most of the health indicators proved this to be true<sup>(1)</sup>. After the war, the relative improvement in public health compared with England deteriorated. One area in which this was particularly evident was in maternity care.

Until the 1915 Notification of Births Act, there had been little official recognition that maternity care merited serious consideration. Indeed, it was only in 1901 when the Edinburgh Maternity Hospital acquired a bed for ante-natal care that the voluntary hospitals recognised that it was a legitimate concern for the medical profession<sup>(2)</sup>. However, with the failure to achieve a decline in the maternal death rate after the war, the Board was forced to establish a Departmental Committee on Puerperal Morbidity and Mortality. Its Report in 1924 did not make good reading<sup>(3)</sup>. Apart from the widespread use by mothers of the professionally untrained "handy-

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1. see Appendix 7B

2. T. G. Nasmyth, "Maternity Hospitals in Relation to Maternity and Child Welfare", Journal of the Royal Sanitary Institute (1925/6) Vol XLVI p 199; British Medical Journal 1927, Vol 1, p 1969 and 1971

3. Departmental Committee on Puerperal Morbidity and Mortality (1924). The Committee was appointed on 16/6/23; for comment see the British Medical Journal, 1924 Vol 1, p 1969 and 1971

woman" midwife, there was, outside the major maternity hospitals, nothing to suggest serious professional interest in the problem of ante-natal care. Not only was there a shortage of midwives, but doctors, themselves, lacked modern training in obstetrics. Hospitals, including poorhouses, had made little specific provision for the expectant mother and there had been few attempts to co-ordinate institutional and non-institutional care. Finally, the Report concluded that there was much ignorance about the causes of deaths.

Although Edinburgh Maternity Hospital, through improved ante-natal techniques, was able to bring down its death rate from an astonishingly high 9% to 4% by 1930 and Glasgow, by increasing its staff, able to do the same by 1934, the complaints about inadequacies and badly co-ordinated care remained<sup>(1)</sup>.

Glasgow's MOH attributed many of the deaths specifically to poor hospital management which allowed puerperal sepsis, a highly virulent disease to spread rapidly through a ward of otherwise healthy women<sup>(2)</sup>. Another study, this time of Glasgow's success in bringing down its death rate, showed that the critical factors there were the non-availability of senior physicians in emergencies (they were away at their private clinics) and the failure by G.P.'s to detect abnormal cases<sup>(3)</sup>. To assist the combat of maternal deaths, Glasgow's Professor of Midwifery urged the

1. *ibid.*, 1936 Vol 1, p 493; D. Baird, "Maternal Mortality in Hospital; a Review of 999 fatal cases in the Glasgow Maternity Hospital 1925-34", Lancet, 1936, p 295
2. A. S. M. McGregor, "Observations on Puerperal Sepsis", Glasgow Medical Journal (1929), Vol 112, p 252; See also J. H. Thompson, "Some Cases of Puerperal Mortality: An Analysis of a Series of 8189 Cases in the County of Lanark's Maternity Hospital, Bellshill", Journal of Obstetrics and Gynaecology, (1935) Vol 42, p 434
3. Baird, *op.cit*



establishment of special local authority ante-natal clinics<sup>(1)</sup>.

Only there, he believed, could thorough examination of patients and the co-ordination of all the agencies concerned be conducted.

This failure to reduce the death rate and in the case of puerperal sepsis to see it actually increase, forced the Department of Health in 1929 to establish a more extensive inquiry into maternal morbidity<sup>(2)</sup>.

Its Report in 1934 shocked the medical world and stung the popular Press into lurid tales of medical malpractice. Two-thirds of avoidable deaths were due to "faulty" hospital, general practitioner or midwife care. One of the Report's authors caustically remarked to an audience of eminent Scottish surgeons "that it would appear large numbers of doctors and midwives are accident prone"<sup>(3)</sup>. Unless more active co-operation occurred, medical facilities improved and the pregnant woman viewed as needing "continuous supervision" by qualified practitioners, little could be achieved. It meant breaking down the boundaries of voluntary,

1. J. M. Munro Kerr, "The General Practitioner and the Ante-Natal Clinic", The British Medical Journal, 1933 Vol 1 p 886
2. Report on Maternal Morbidity and Mortality, (1935) C. D. Douglas and P. L. McKinley
3. Discussion on the Departmental Committee on Maternal Mortality and Morbidity in the Transactions of the Medico-Churgical Society of Edinburgh, (1935-6) Vol XLV p 21; see also the evidence of the BMA to the Departmental Committee on Hospital Services in Scotland, summarised in the British Medical Journal 1934, Vol 2 p 1 and Leader, 1935 Vol 2 p 306. The reactions of the popular press included headlines such as "Meddlesome Midwifery" and "Hurried Deliveries", *ibid.*, p 201 and p 207

statutory and professional practice so that a unified maternity system could develop.<sup>(1)</sup> Thus the debate about maternity welfare was not simply a question of improving medical techniques, it was also about the best method of advancing a particular collective welfare goal, improving the life chances of mothers and unborn infants. With the expectation of continual improvements in medical care not being met, the pressure on medical institutions and professionals in this and other fields was bound to increase.

Poorhouses, too, could not escape this pressure. But small ones, like Inveresk Combination, epitomised many of the problems facing the Board, parishes and the medical profession. Its staff in the 1920s included a governor, a matron, a nurse, a labour master, two attendants and a visiting medical officer<sup>(2)</sup>. With this small staff and a building that prevented all but the minimum of age and sex segregation there could be little serious attempt at improving medical services. Moreover, few of the sick in the area could be expected to look to it for treatment when the labour master's job was to set the elderly, the infirm and the expectant mother to work. Cutting up and bunching firewood or scrubbing the floors was not most people's idea of convalescence or a home for the aged. When the labour master assaulted an inmate, the parishes found even fewer sick appearing<sup>(3)</sup>. A larger poorhouse combination, Omoa in mid-Lanarkshire, fared little better. Here

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1. For a review of later developments, including the Maternity Services (Scotland) Act 1937, see A. S. MacNaulty (ed), The Civilian Health and Medical Services. (London, 1955) Chapters 1, 6
  2. Inveresk Combination PM, 15/11/18
  3. ibid., 31/4/24 and 24/4/24

not only was there the usual conflict between governor and trained nurses over the administration of the hospital wards but the three parishes concerned, Bothwell, Shotts and Cambusnethan frequently clashed over policy<sup>(1)</sup>. In one incident, Shotts wanted to remove all the unemployed out of the institution<sup>(2)</sup>. They felt the addition of the unemployed would only add to the problems of developing a policy for the infirm, the elderly and the sick. But the other two parishes remained uninterested. Despite the Board in 1925 insisting on the creation of better segregated wards, few extra sick appeared<sup>(3)</sup>.

These problems were not confined to smaller poorhouses. Dundee remained severely understaffed until the General Nursing Council withdrew its recognition of the Poorhouse as a training school for nurses<sup>(4)</sup>. The Council now expected trainee nurses to undertake a more exhaustive educational programme which included attendance at major surgical operations. Because the loss of this programme would mean that few better qualified nurses would seek its employment, the Parish was forced to appoint a visiting surgeon, a visiting gynaecologist and establish an Ear, Nose and Throat Department<sup>(5)</sup>. The ratio of nurses to patients was also improved, from one to eight, in 1920, to one to six in 1925. Edinburgh suffered a similar fate<sup>(6)</sup>. It was forced to appoint additional visiting doctors, resident doctors and a radiographer<sup>(7)</sup>. But

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1. Omoa Combination PM, 15/9/21

2. ibid., 15/3/23 and 17/5/23

3. ibid., 20/3/24. "Governor's Annual Report", 19/3/25. "Medical Officer's Report" and 21/5/25, Board's letter on wards and institutional management

4. SRO HH 60/65 "Dundee East Poorhouse", Dundee PCM, 18/10/23

5. ibid., 4/6/24, 19/6/24 and 23/10/24

6. Edinburgh PCM, 5/11/23

7. ibid., 5/1/25, 10/3/25 and 13/6/27



like Omoa it had little impression on the City's sick. The distinctive dress required by inmates, the unwillingness to utilise its four institutions for more complete segregation and the lack of convalescent facilities meant it could not compete with the prestigious voluntary hospitals the city had created<sup>(1)</sup>. Its Craiglockhart medical officer could specifically complain that,

"There are no wards available for the separation of all the foul or offensive cases - such as carried out in other hospitals - in a separate block under a male nurse. These cases have, at present, to be mixed with the ordinary medical and surgical patients.

Mental observation cases have to be kept in the ordinary wards until they are certified. They disturb all the patients in the ward and are occasionally a source of danger to themselves and to the nurses.

The sanitary arrangements of the Poorhouse generally are not good. Manure heaps are in close proximity to the Poorhouse. Flies breed out in great numbers in the summer in these manure heaps and are a menace to the health of all the inmates. The slunging of foul linen in the ordinary baths in wards by nurses is to be deprecated".<sup>(2)</sup>

No ordinary working class sick person would want to be cured in an institution that mixed all sorts together, had poor sanitary arrangements and used inmate labour (in one case a woman with a skin disease) to serve the food and keep the wards clean.

The problems of developing a coherent policy were not solely the fault of parishes. After some incidents in 1919 involving the assault of children and other inmates by its poorhouse staff,

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1. *ibid.*, 24/2/22, 25/6/23, 3/3/24 "Medical Officer's Annual Report".

2. *ibid.*

Govan approached the Board with a radical plan to convert the Poorhouse into a General Hospital<sup>(1)</sup>. The Board refused because it felt Govan would not be able to offer a poorhouse test to many of its doubtful claimants.<sup>(2)</sup> All it was prepared to accede to was the replacement of the governor by the medical superintendent.

Only in Glasgow was there any serious attempt to develop non-poorhouse medical services. During early 1921, in an attempt to overcome pre-war public prejudice and fill the now 400 vacant beds, the Parish sought the Board's approval to admit paying patients<sup>(3)</sup>. The Board, however, refused to sanction this radical departure from established policy. It felt that not only would the maintenance of discipline amongst the ordinary sick poor be jeopardised but the Parish would soon find itself short of accommodation for those claimants to whom it had a legal duty.

In its view with the obvious institutional deficiency in the City, if the Parish took steps to improve their Hospitals' medical status, it expected those beds to be quickly occupied. The Parish was therefore forced to consider alternatives. By the end of 1922 it had agreed to allow doctors to decide, in the first instance, when and where indoor claimants would go<sup>(4)</sup>.

This move, together with an increase in consultant and resident medical staff and the extension of clinical facilities, did

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1. Govan PCM, 26/10/19, 6/7/20, 9/8/20 and 26/10/20; Govan Press 3/9/20, "Merryflats Poorhouse Punishment Cases"
  2. Govan PCM, 29/3/21, 15/4/21 and 15/6/22
  3. Glasgow PCM, 24/3/21
  4. ibid., 24/10/21. "Memorandum on the Classification of Indoor Sane Poor" by the Inspector of Poor, 21/2/22. One doctor to act as medical superintendent for all institutions, 10/10/22. "Memorandum on the Classification of Indoor Poor" by the Medical Superintendent



actually increase the number of sick seeking admission<sup>(1)</sup>

Thus in the early 1920's, throughout Scotland, the Poor Law hospital service was unable to go beyond the position it had reached in 1914 and rid itself of the vestiges of the 19th Century philosophy and practice. Indeed, the major influence on development was not the parishes or even the Board, but the General Nursing Council, who by reflecting the wider changes in medical practice, sought to ensure its nurses in poorhouses were trained in the more advanced aspects of care. For itself the Board's attitude towards poorhouse in the mid-twenties seemed contradictory, they oscillated between pressing for better medical services and pushing for their rigorous use to control the long-term unemployed<sup>(2)</sup>. With only Glasgow having institutional segregation on any large scale it was hardly suprising that parishes avoided any serious consideration of developing more extensive medical care. The Board in 1927 began to recognise the predicament and suggested to parishes that the 1909 Poor Law Commission's recommendations on medical treatment should now be fully adopted<sup>(3)</sup>. Poverty should cease to be regarded as the "essential factor" in determining an applicant's case; all that mattered was medical need. Moreover, they noted that medical treatment in many poorhouses had caused them "some disquiet".

They stated,

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1. Watt, op.cit., Chapter 1; J. Bridie, One Way of Living. (London, 1939) (alias Dr. O. H. Marr); see also the evidence of M. A. Reynard to the Royal Commission on National Health Insurance (1925) given on 30/6/25 and to the Hospital Services Committee given on the 27/1/25, quoted in the British Medical Journal 1925 Vol 1, p 281
  2. The Annual Report of the Board of Health 1924, Cmd 2416 (PP 1924-5 Vol XIII) p 187-91
  3. The Annual Report of the Board of Health 1927, Cmd 3112 (PP 1928 Vol X) Chapter XIX "The Poor Law Medical Service"



"The divergence between the best [poorhouses] and the least good is indefensibly great; and in respect of a number of the poorhouses of middle size, the principles of equality of standard with the voluntary hospitals should, without delay, be carried into practical effect".

Parish development of hospital care for the sick and needy had obviously failed; it was simply not feasible under the existing philosophy, the system of local government and the nature of central control.

The inadequacies of voluntary finance and the demand for hospital beds had not, however, gone unnoticed by the Board. By 1921, the Government sponsored Voluntary Hospital Council (chaired by Lord Onslow) was gradually winding up its post-war disbursement of grants and the need to maintain some co-ordination amongst the voluntary hospitals had led to some discussion within the Council for a national association to lobby their interests<sup>(1)</sup>. The Board was asked to consider the possibility of a separate Scottish authority. Instead the Board began a more serious review of hospital inadequacies and sent a memo to Lord Novar in early 1923 indicating that the system of Voluntary Hospital Management was in danger through lack of funds. It concluded by saying that,

"a formidable body was in favour of hospitals on the rates and that it would become increasingly difficult to prevent this if accommodation was not provided". (2)

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1. SRO HH 65/49 "Voluntary Hospitals Commission: Proposed Scottish Consultative Commission"
  2. ibid., Memorandum dated 8/3/23 and approved 13/3/23

However, the Board would not commit itself on how that extra income would be generated, arguing instead that some co-ordinating local organisation would reduce overlapping and cut down on costs. A year later after some deliberation on strategy, the Board's views had hardened into the need for a Departmental Inquiry, arguing now that the shortage of institutional accommodation meant it was their legitimate concern to be involved in planning<sup>(1)</sup>. Adamson agreed and a Committee under the chairmanship of Lord McKenzie "to enquire into and report upon the extent and nature of the inadequacies of the present hospital and ancillary services in Scotland and to make recommendations for the development and the maintenance of those services to the needs of the community" was established.

In many respects the Committee was a disappointment. Part of its problem was that it was largely composed of voluntary movement sympathisers<sup>(2)</sup>. Although Adamson had specifically requested that the Committee look beyond the voluntary hospital system, it drew three-quarters of its witnesses from that sector<sup>(3)</sup>. But perhaps more decisive a factor was the very strength of the voluntary movement. Maxton's evidence, already commented on, reflected a wider view that the public sector had shown itself incapable of meeting need.

With working men on Boards of Management, an international

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1. SRO HH 65/50 memorandum dated 4/4/24 and concurred 1/5/24.
  2. British Medical Journal 1924, Vol 1 p 1151. It had five doctors, three members connected with infirmaries, two with insurance committees, two from public health and one from the BMA. J. Wauch was the sole Labour representative, from Labour Housing Association.
  3. *ibid.*, 1925 Vol 1 pp 136-317 *ad passim*

medical reputation and a donations' system that implied Voluntary Hospitals were publically owned, the working classes had been successfully incorporated into a particular brand of welfare practice. This incorporation was further underlined, to the astonishment of many medical observers, when during a three day bazaar held within some of the poorer districts of Glasgow, the Samaritans Hospital raised over £75,000. Events like these seemed to underline what many, including Labour politicians had argued, that the working class had attached a particular value to the continuance of the voluntary hospital system. With this seeming acceptance of the "status quo", there was little point in speculating about how a public sector might be of use at some future date. Moreover, local government reform was still being discussed and any plans the Committee made for the public sector could only be supposition and conjecture. It was easier to concentrate on certainties and the voluntary sector represented the certainty of the past. Thus the Committee reported that,

"our recommendations are an attempt to formulate a hospital policy for Scotland which will preserve and maintain the voluntary hospital and secure by co-operation all round and not least between the voluntary hospital and the local authority a continuously adequate hospital service". (1)

The perceived deficiency of 3,000 beds could be met by extending voluntary hospital provision through a State grant of 50% of the capital cost. This once and for all grant, it was felt, would maintain the supremacy of that sector in the face of growing local authority involvement.

The Labour representative on the Committee produced a Minority Report which disputed the ability of the Voluntary sector to meet the deficiency. However neither the Press nor the Board

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1. The Report on the Hospital Services of Scotland (1926)



took his proposals seriously, except for pointing out the likely alternatives if action on the Majority Report was not secured<sup>(1)</sup>.

The Board, however, seized upon the Majority Report with fervour. For them it was an obvious solution to the deficiencies in accommodation and they wrote to Sir John Gilmour in 1926;

"We felt that if the Voluntary Hospital problem was not solved then local authorities would feel obliged to build them and that would lead consequently to a deterioration of charity to Voluntary Hospitals and eventually to a complete State-aided system". (2)

Unlike the Ministry of Health, they believed that aid to this sector could be an alternative to Poor Law reform of their hospitals. They reiterated the legal position which prohibited local authorities from building general hospitals in Scotland and which made the position radically different from that in England. Moreover it was a way to save the ratepayer, already hard pressed from funding unemployment relief, a future burden. Hence Gilmour wrote to his opposite number in the Ministry of Health, Neville Chamberlain, to say,

"I am satisfied that a measure of Government assistance is necessary if my responsibility for the Health of the Scottish people is to be discharged". (3)

Chamberlain was unmoved. He clung to his view that Poor Law reform would release extra beds for acute illnesses and further voluntary and public co-operation. In the long run, he told Gilmour, it would be cheaper. With the Treasury about to receive

1. Scotsman, 8/2/26 "The McKenzie Report" and Leader
2. SRO HH 65/51. Memorandum dated 31/12/26
3. *ibid.*

the bill of a similar amount, for the reimbursing of parish councils' strike relief payments, Gilmour wrote back to the Board stating the time was "not ripe" for any further action. Board protests that this might, given the acuteness of the Scottish deficiency, actually increase the case for State aid got nowhere.

In early 1927, when again pressed by the Board, who themselves were being pressed by some voluntary hospitals seeking cash, Gilmour told them to state;

"The Government was not in a position to make a statement or to bind a future government and while there must be some loss in the development of beds this clearly must be faced". (1)

In little less than a year after the publication of the Hospital Services Committee's Report, Scottish Hospital Development was in some disarray. At the end of 1927 Gilmour was forced to inform a British Hospital Association deputation that he now considered it imperative that medical treatment in the poorhouses was brought up to modern standards (2). Sooner or later they would develop into general hospitals.

Although Gilmour established a Voluntary Hospital Liaison Committee to assist in developing co-operation between the sectors, many of the voluntary hospitals recognised that they were on their own and began to consider alternative methods of finance. With many people who were seeking their services from the more affluent

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1. *ibid*

2. *ibid.*, Deputation dated 9/12/27; see also J. W. Keay, "The Future of Poor Law Hospitals" in the Edinburgh Medical Journal (1928) Vol 35 p 69

working and middle classes the hospitals slowly began to consider the possibility of charges<sup>(1)</sup>. To overcome their charters and legacies which often forbade charging, many began to build pay-blocks and paying annexes apart from their main building<sup>(2)</sup>. By 1939 some 5% of all beds were reserved for those who could pay.

This break with tradition did not go unnoticed by Labour politicians. When Edinburgh Royal Infirmary began to consider altering its charter to charge patients, Adamson, as one of the managers, expressed his dissent<sup>(3)</sup>. He believed that once working class contributors saw paying patients being admitted ahead of the long queue in which they had to wait and to an institution to which they had been the largest contributor their contributions and affiliation to the voluntary movement would decline. To make the system work, hospitals would have to impose a means test and this would lead to an even sharper community division over hospital care. The voluntary hospital movement entered the 1930's acutely aware that it was at the crossroads of its development.

By the end of the 1920's it was apparent to the Board that the voluntary hospitals were not going to provide in sufficient quantity for the deficiencies in institutional medical care. In

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1. A survey of Edinburgh's Infirmary patients found only 15% were of the "indigenous poor". British Medical Journal 1921 Vol 1 p 554
  2. The most notable was Glasgow Victoria Infirmary, see *ibid.*, 1931 Vol 1 p 724
  3. *ibid.*, 1932 Vol 1 p 253



1928 the development of an alternative strategy based on the Minority Report's recommendations saw the Public Health hospital brought back to the fore with local government reform.

The reform of local government had been a smouldering issue since both that Report and the Majority's indicated that there was a need for the drastic alteration in the approach to welfare. With over 1300 units of public administration in Scotland, the radical wartime McLean Committee had added weight to those who believed that a rational and coherent structure capable of developing progressive services could only come about through their amalgamation and simplification<sup>(1)</sup>. Despite the Parish Councils Association, the Society of Inspectors of Poor and the Adjustment Committee clinging throughout the 1920's to a belief that only an "ad hoc" welfare services authority could serve the public good, Gilmour was coming round to the views of the Minister of Health, Neville Chamberlain<sup>(2)</sup>. Addressing a medical audience in 1925, Gilmour stressed the need for local government to become much more involved with others in the co-ordination and planning of administrative tasks<sup>(3)</sup>. To achieve this there should be one administrative authority with sufficient population and financial power. Like Chamberlain, he was beginning to accept that the problem of the Poor Law could best be tackled first through altering its administrative structure

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1. For a Scottish Office critique of parish council administration see their evidence to the Royal Commission on Local Government, (1928) Part 8 given on the 21/10/26 and for their inability to get Public Health authorities to co-operate, on 23/11/26
  2. PLM, 1920, p 189; see also Edinburgh PCM, 5/10/28 and Glasgow PCM, 4/9/28 for the last ditch stands by parishes against the reforms; PLM, 1925 p 198 for Chamberlain's views
  3. Journal of the Royal Sanitary Institute (1925/6) Vol XLVI p 65. "Address by Sir J. Gilmour".

and allowing broader perspectives into the decision making.

If the public was not only shunning Poor Law institutions but also parish elections, then some reforms seemed to be necessary to counter any further disillusionment. For a traditional Conservative like Gilmour, language which stressed co-ordination, the pooling of resources and easier planning were words which could perhaps help persuade the voter that the Conservatives had in a time of rising material expectations, a strategy for meeting welfare needs<sup>(1)</sup>. This became even more crucial when in the Board's final Report it fully acknowledged that the existing strategy had gone astray<sup>(2)</sup>. It frankly admitted that, with mass unemployment and the financial restrictions on expenditure imposed by successive Governments, its statutory aims and promoting the health of the people "were not destined to be fulfilled" and "more could undoubtedly have been achieved".

The Conservatives, however, had another problem. They had to reconcile this expectation with their ideology of slow but continuous change. To abolish parish councils would be, as Elliott, the Parliamentary Under Secretary noted, to "disturb one of the foundation stones of Scottish society", and one that had whatever the problems of the present stood it in good stead for a considerable period<sup>(3)</sup>. Moreover, too drastic a reform of public welfare services might lead to an expectation of greater statutory

1. note the comments by Brown, op.cit, on the evolution of this strategy in an attempt to win the crumbling Liberal vote
2. The Annual Report of the Board of Health 1928, p 14
3. British Medical Journal, 1927 Vol 1 p 639

involvement in meeting welfare needs. In their view this would bring about the destruction of those forces applauded by so many Conservatives; self-help, mutually generated aid and private property. Gilmour had to search for and evolve a strategy that could marry these expectations and thoughts. He decided to tread a cautious path. His Local Government Bill proposed to abolish the parish council and transfer their Poor Law functions to the county council and burgh. Unlike the English Bill it made no reference to the provision of hospital services. Further, to offset some of the likely criticism about the destruction of tradition and local accountability he had decided to over-rule the Scottish Office opinion on the size of burghs to be considered as Public Health and Public Assistance authorities. The Scottish Office had wanted 50,000; he chose 20,000<sup>(1)</sup>. It meant three authorities in Fife, Ayrshire and Dunbartonshire, instead of the preferred one and six in Lanarkshire instead of two.

On opening the Commons debates, Gilmour summed up the rationale for reform by saying,

"The [existing] administrative areas are too small to discharge their duties efficiently or to justify a separate organisation for the great major services with which we have to deal in these times". (2)

Labour remained hostile, attacking both his destruction of local government democracy and his failure to completely overhaul the

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1. SRO DD 5/693-721 "Local Government Act 1929"; Proposals for Reform in Local Government in Scotland Cmd 3135 (PP 1928 Vol XIX)
  2. Hansard, Vol 223, p 859. 3/12/28. 2nd Reading



Poor Law. But outside Parliament, some local authorities took great exception to his failure to reform the public hospital services and petitioned the Department of Health for a clause to insist on its mandatory development<sup>(1)</sup>. The voluntary hospital lobby were aghast and they too petitioned the Department to ensure that any such new clause would not jeopardise their position<sup>(2)</sup>. Not only would local authority hospitals directly introduce a new concept into the ideology of welfare, it would also, they felt, threaten their financial solvency. Moreover, the whole ethos of an independent profession serving the public without interference from both politicians and government bureaucrats would be undermined. It was a challenge they could not refuse and they told Gilmour they would only accede to the clause if it included an obligation on the local authority to seek the agreement of the local voluntary hospitals. Gilmour sympathised with them and told the local authority representatives that while he was not "unfriendly" to their suggestions his Bill was essentially one of political, not social reform. Concerned not to generate new demands for Government Grants to develop local authority hospitals, all he was prepared to offer them was the possibility of "experimental" action. With the Voluntary Hospitals perturbed even at this move, the local

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1. SRO HH 65/52-3. "General Hospital Policy", DD 5/700; McGregor op.cit., Chapter 9. McGregor claims he was largely instrumental in pressing for action, but the Department resisted his initial moves. However, the Department's files indicate that their Chief Medical Officer of Health and the Secretary responsible for hospital policy were broadly in favour of permissive development.
  2. ibid., British Medical Journal, 1921 Vol 1 pp 171 and 413

authorities found Gilmour unwilling to make any further concessions<sup>(1)</sup>. Thus a new clause, twenty-seven, was duly inserted which permitted the new local authorities to reorganise medical services and if necessary build general hospitals. But this could only happen if the Department was satisfied that there was a local need which was not being met by the voluntary hospitals. Moreover acceding to the Voluntary Hospital pressure the co-operation of every voluntary hospital in the area had to be sought in the submission of a new scheme. The management and expenditure of the new services would fall under the Public Health Department which could make appropriate charges.

Explaining this departure in policy in the Committee stage of the Bill, Gilmour said:

"one of the greatest difficulties which anybody in dealing with this problem has to keep in mind is the relative balance between the position of the Voluntary Hospitals and the Voluntary Services and the services which may be created by the Local Authority ... They [the opposition] would make a very great mistake indeed if they endeavoured, certainly under present conditions, to impose definitely upon a Local Authority a task which they have no conception and as to which they are not in a position to judge whether the Local Authority can reasonably and fairly undertake". (2)

However he believed that these discretionary powers would assist in the eventual break-up of the Poor Law.

Labour were not satisfied. Because the new Act would allow a

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1. *ibid.*, p 472. Letter from Beatson
  2. Hansard, Vol 224 p 2081, 7/2/29

"reasonable charge" to be made for hospital treatment, a new "means test" would be born, one alien to Scottish traditions. Instead of diminishing Poor Law doctrines the Government were merely transplanting it in another, previously unsullied local service, the Public Health Authority. Poverty would still come before medical need. Moreover, the Act was not mandatory but permissive, so there was no certainty that a coherent, rational and nationwide hospital service would develop.

While acknowledging public sentiment had turned against poorhouse medical treatment, Gilmour found it difficult to ignore the strength of the voluntary hospital lobby and the centuries of tradition which allowed local areas the right to determine their own pattern of services. He was prepared to rely on the old Board of Supervision tools of administrative action by the Department to persuade local authorities and voluntary hospitals to develop their services.

Almost immediately the Act was passed the Department began to ask local authorities to consider its medical services<sup>(1)</sup>. In particular they were to review the amount of general hospital accommodation in their area. By 1932 the Department itself had surveyed most of Scotland and made detailed recommendations on improving and developing the existing local authority accommodation. Although they reassured voluntary hospitals that they remained the

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1. Transactions of the Royal Sanitary Association of Scotland (1929) p 1. J. P. Kinlock, "The Meaning of an Adequate Hospital Service"; SRO HH 9/1-54 contains the files on the administrative section 27 in each of the local authority areas; English comparisons in the 1930's can be found in Abel-Smith op.cit., Chapters 23 to 25



"pivot" of Scottish medical care, to them the 1929 Act had at last brought a coherent structure to the previously unrelated Public Health, Poor Law and Education health authorities.<sup>(1)</sup> Local authorities would now have to reconsider the best methods in their area for meeting institutional health care needs. Its Chief Medical Officer of Health commented to a medical audience that the observations of the past on the failure to improve and co-ordinate services could now give way to experimenting with different methods of co-operation and funding<sup>(2)</sup>.

They soon realised however that they faced three particular problems in this experimentation. Firstly, the acute shortages of accommodation (in Fife, Lanarkshire, Ayrshire and Renfrewshire the existing accommodation was only 50% of perceived needs), meant that it would be legally difficult for many authorities to convert their poorhouses and hospital wards into general hospitals for all the community<sup>(3)</sup>. If Poor Law claimants were left in the general queue for treatment, their position would be worsened and the Authority might be open to prosecution for failure to provide adequate maintenance. Secondly, in many areas there were a number of small authorities who by themselves could not finance any new capital development. Even if they abandoned traditional

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1. British Medical Journal 1930 Vol 1, p 562 and Vol 2 p 35. Addresses by the Chief Medical Officer of Health
  2. Transactions of the Royal Sanitary Association of Scotland (1931) p 2. J. P. Kinloch, "The Science of Life"; see also The Annual Reports of the Department of Health 1931-2 Cmd 4080 (PP 1932 Vol X) and 1932-3 Cmd 4338 (PP 1933 Vol XII) Chapter 7 "Hospital Services"
  3. The Department of Health, The Scottish Hospital Survey (1946) which gives a complete breakdown of hospitals and accommodation in every local authority area, and includes an estimate of perceived deficiencies

poorhouse philosophy they would still have to agree to combine with others in choosing a site and on deciding their own contributions. Thirdly, the Department would have to generate and sustain the willingness of voluntary hospitals to agree to rate-aided and means-tested general hospitals in their areas, hospitals which might draw away patients and their contributions. Each of these problems can be viewed in turn by looking at the experiences of Glasgow, the six authorities in Lanarkshire and Greenock.

Glasgow's problems in converting its Poor Law institutions into general hospitals illustrate the first problem. Under the new administrative scheme, all hospital care came under the control of the local medical officer of health. However until the local authority implemented Section 27, the patients of existing Poor Law institutions were still classified as Poor Relief recipients. Their names, settlement, family income and liable relatives had to be entered into the poor roll, the same as any other claimant. Thus at Glasgow, although the two district and the one general hospital of the old Glasgow Parish were transferred to the administrative control of the Public Health Department, its patients came from the Public Assistance Department. Its two poorhouses and its colony for mental defectives, remained under the administrative control of the Public Assistance Department. The degree to which the health needs of the mentally defective, the aged, the child and the "in and outer" were the concern of the Public Health Department

remained questionable<sup>(1)</sup>.

By early 1931, Glasgow had drafted a scheme based on Section 27, but it soon became apparent that implementing it was not going to be easy. The voluntary hospitals had huge waiting lists and Poor Law institutions were themselves receiving growing numbers of Poor Relief applicants seeking an alternative source of medical and surgical care. Moreover Glasgow had two additional problems; its institutions had accumulated large numbers of chronically ill and infirm patients for which there was no alternative provision and many more expectant mothers, in response to Public Health Department propaganda, now sought hospital confinement. These factors, combined with over 10% of the population on Poor Relief, meant Glasgow had little spare capacity to accept the ordinary working family, however poor<sup>(2)</sup>.

Its draft scheme depended on extra accommodation being built. Only then could a better administrative system be developed which would permit the infirm, the child and the "anti-social" unemployable more specialised assistance. It was not until the new Labour administration entered office at the end of 1933 that such development began. Within two months of taking control they had decided to convert the old Renfrew Poorhouse at Crookston into an old people's home and over the next few years agreed to build new separate homes for the elderly, create an extra 500 beds

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1. Glasgow TC Special Print, "Evidence to the Scottish Hospital Services Committee" (1935), p 50 (General Hospital Services)
  2. SRO HH 9/24 "Glasgow City"; only 15% of the expenditure on hospital care was recovered from patients and their relatives



at the Southern General Hospital, abolish certain types of inmate labour at Barnhill and improve its medical services<sup>(1)</sup>. By 1941 all the administrative arrangements had been completed and Section 27 was duly implemented.

In Lanarkshire the major problem facing the Department was the conflict amongst the different local authorities over the definition of medical need, the form of development and the siting of hospitals. The Act had produced six local authorities outside Glasgow, one county council and five burghs, all of whom had independent control over provision for infectious diseases, TB care, child and maternity welfare and institutional Poor Relief. Not only had they thirty-three hospitals and poorhouses to manage, but the county had another two dozen small voluntary hospitals<sup>(2)</sup>. As each authority had a Public Assistance and a Public Health Committee, it meant the County had around three dozen statutory and voluntary committees all pledged to provide some institutional care for the sick. It was not a recipe for quick or easy decisions.

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1. British Medical Journal, 1938 Vol 2 p 199, A. S. M. McGregor, "The Future Development of the Hospital System"; Glasgow TCM 8/1/34 Agreed to convert Crookston House into an old people's home; 20/3/35 Agreed to remove all healthy children from Stobhill to another institution; 24/3/36 Agreed that the Southern General Hospital be under Health Committee Control; 22/5/36 Agreed to dispense with inmate Labour for domestic chores at Barnhill Poorhouse; 23/10/36 Agreed to build new separate accommodation for single and married elderly at Crookston; 20/11/36 Agreed to remove all able-bodied elderly from the Southern General Hospital; 3/5/37 Agreed to improvements in medical care at Barnhill
  2. SRO HH 9/54/1-3 "Lanark County"; 9/35 "Motherwell and Hamilton" 9/3 "Airdrie"; 9/5 "Coatbridge"; see also Hamilton Home Centenary 1867-1967, (Hamilton, 1967) for a discussion of changes in poorhouse management and policy. During this period, Labour had control of Motherwell from 1934, Hamilton and Rutherglen from 1935 and Airdrie from 1934-5

The Department's survey of medical provision in the County, published in 1932, was not complimentary. It commented that only Motherwell had a poorhouse with any potential for development, as an outbuilding for chronic cases of the nearby Burgh Hospital. The other poorhouses were either poorly sited, too small or inadequately constructed to warrant serious consideration. Airdrie's was one of the most appalling they had seen, housing its sick poor in an attic. The Department told the authorities that the problems with their poorhouses and the other small institutions meant,

"The existing hospital system, or group of systems, in Lanarkshire, viewed in the light of modern conditions and requirements, shows needless duplication and overlapping, multiplication of small, relatively costly institutions, wide discrepancy of standards and generally, the anomalies that might be expected to arise in a service founded by a large number of independent bodies acting for the most part in isolation from each other ...

[They favoured] for reasons of efficiency and finance and because of the improvement in transport a relatively small number of selected sites". (1)

Its Chief Medical Officer of Health, addressing the County Council in 1931, had been more direct. He told them that, because "hospitals now need elaborate equipment and specialisation, local authorities on their own" could not provide the necessary services<sup>(2)</sup>. Co-operation was essential and the Department would not allow any of the existing Authorities to develop services on their own. The County Council agreed to any necessary co-

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1. SRO HH 9/54/1 Report of 13/2/32; see also the Glasgow Herald 17/2/32 "Big Changes Proposed" and Leader supporting it
  2. SRO HH 9/54/1 Meeting of 10/7/31



operation, but the Burghs, distrustful of the County's motives, refused to become involved. Motherwell was the most unwilling of the five; its Town Clerk informed the Department at the time and again in 1935 that it was quite able, by minor adjustments to its poorhouse, to meet all its own needs<sup>(1)</sup>. He did not believe that Motherwell would have much influence in the siting or the management of any new county based hospital. Moreover the Department's policy went against the tradition of voluntary care, and most in the Burgh felt that that system had served them well and ought to be supported before any consideration of rate-aided hospitals. Anyway, he concluded, it was illusory to believe in the medical treatment of the aged chronically infirm because at best they had a condition "which could only be alleviated, not cured". It was a public assistance, not a public health, problem.

The frustrations of the Department grew at both the Burgh prevarication and the dissension from their perspective of health care needs. In one terse letter to Motherwell in 1935 they stated that the Burgh's views tended "to perpetuate, and even increase, the defects and difficulties that have arisen from a lack of co-ordination in hospital planning in the past". A Special Areas grant was held out as "bait", but the Burgh still refused to participate<sup>(2)</sup>. By 1939, with costs now rising above

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1. *ibid.*, and 9/35 Meetings of 3/9/31, 6/7/32, 4/6/34, 22/4/35 and 9/12/36. Motherwell letters of 15/3/32, 7/3/35, 9/8/35, 8/4/36, 5/11/36 and 10/11/36
  2. *ibid.*, Minute of 2/12/35. The DHS principal Officer in charge much of the day to day affairs of Section 27, Dr. P. Taylor, told the Special Areas Commissioner that the "Burghs did not appreciate the best interests of their population". 14/12/36; see also Rutherglen TCM, 23/6/36



£1,000,000, the others began to have serious doubts and no final decision was reached by the time war was declared.

Greenock's problems in the development of a non-Poor Law hospital policy represents the last of the Department's difficulties, securing the co-operation of voluntary hospitals. Although Greenock's slums were of a smaller scale than Glasgow's, it had perhaps the worst record of public health in Scotland. The damp climate combined with a northerly exposure for most of its housing meant that TB, pneumonia, and bronchitis were endemic amongst the working classes. To combat this the Town had a Royal Infirmary with 200 beds, a Public Health Hospital with 120 beds and a Poorhouse with a similar number of beds for the sick poor. The deficiencies in institutional accommodation had been noted for some time and the Infirmary had in 1930 added a new auxiliary Hospital at a cost of £60,000<sup>(1)</sup>. Half of its forty beds were for paying patients. However, the Hospital was not noted for its medical reputation. Until the late 1930's, when a number of specialists were appointed, most of the work was done by local G.P.'s. With the onslaught of the depression, many, including the Department, doubted that the Infirmary's move into paybeds would yield an economic return.

The Poorhouse, too, for different reasons, was not noted for

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1. British Medical Journal 1930 Vol 1 p 84; SRO HH 9/25 "Greenock". Surveys of 3/5/32, 24/5/35 and 26/10/38

its quality of medical care. Not only was it a mixed poor-house, but it was also one of the few still to have licensed wards for the mentally insane. Little alteration in medical services had occurred in the 1920's with no major surgery being practiced. Indeed, the operating equipment was so old and defective that the resident doctor refused to perform all but the most simple of operations. Inmate labour was still widely used in the wards and like Edinburgh's Craiglockart in the 1920's, its poor sanitary arrangements meant that the fear of some internally spread epidemic always existed. With an unusually large number of younger patients, expectant mothers were frequently mixed in the same ward as sick children. Its northerly exposure, its overcrowding and its chronic dampness led one of the Department's Medical Officers to daub it "a dismal institution".

Like the majority of other local authorities, Greenock Council had in 1930 stubbornly refused to abandon the old dualism of voluntary and poorhouse care. To the ruling group of ratepayers the local community ought to look towards the Infirmary for appropriate medical treatment and provide funds for its development. They were therefore unwilling to acknowledge rate-aided hospital care as their legitimate concern and the Poorhouse continued to remain as it had always been, a resting place for the aged, the infirm and the "wanton" mother. Both 19th Century ideology and the Infirmary's financial interests had weighed too heavily on its appreciation of changing medical aspirations. Moreover with an influential and vocal Voluntary Hospital Board

of Management, containing the usual number of workmen's representatives, a Saturday Fund that attracted over £6,000 annually from the working classes and a ruling ratepayers party, the "Moderates", extremely concerned over the Town's high rates destroying its industrial base, the stage was set for considerable altercation in the development of policy<sup>(1)</sup>.

The Department's attempts in 1931 to rationalise the use of poorhouse accommodation throughout Renfrewshire immediately incurred the Council's opposition. They, like the Lanarkshire Burghs, feared the loss of autonomy. No further moves occurred until 1934, when Greenock's new Labour administration faced with even greater overcrowding, sought the advice of the General Board of Control and the Department on improving the accommodation for the insane<sup>(2)</sup>. The Department after hearing privately from the local medical officer of health that what was really needed was a new general hospital suggested to the Council that they should consider that proposition<sup>(3)</sup>. A Special Areas grant of 50% of the capital cost was gain held out as bait.

By early 1936, the Council had drawn up plans for a 140 bed hospital, arguing that it would "fill a gap in the social services" by increasing the accommodation for those chronically ill who were not Poor Law claimants. Twenty extra beds for general

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1. The Hospital Yearbook. (London, 1939) for details of Greenock's income
  2. SRO HH 9/25, letter to General Board of Control, 2/3/34 and to Department, 13/2/35
  3. ibid., initially the Board wanted the Burgh to re-open negotiations with the County, but changed its mind after the local MOH's comments. Minutes of 6/5/35, 22/7/35 and 15/10/35



medical provision had been included. The Department noted with some satisfaction that;

"The scheme now put forward may be regarded as a reasonable attempt on the part of the Local Authority to make such hospital provision as is immediately necessary in the interests of the general health". (1)

However, the Infirmary managers, seeing the possibility of another rival in their territory soon stirred and began to raise objections. The Department tried to reassure them, stating that the scheme was no more than what;

"was reasonably required for orderly flexibility of administration and certainly affords no grounds for apprehension that what may be described as 'poaching on the preserves' of the Infirmary is contemplated". (2)

They were not reassured, replying that the Infirmary had virtually no waiting list and that the extra twenty beds were "quite without present necessity". Pleas that the Infirmary did not provide a service for many acute areas of medical care, like orthopaedics, which a new hospital could do, failed to change their minds.

The Department's plans, however, encountered a more serious problem. In November 1937 the Council swung under the control of the Moderate Party. They had their eyes firmly rooted on the prospect of the rates going up and invited the Infirmary to make further comments on the scheme. By early 1938, the Department noted that the Infirmary was playing a new game, one in which there were no rules of "offside"<sup>(3)</sup>. Intense behind the scenes pressures

1. *ibid.*, Minute of 2/3/36. The formal drafting of the scheme by Greenock occurred on 4/11/36
2. *ibid.*, Minute of 6/10/36 and contained within letter to Infirmary, 6/10/37
3. *ibid.*, Minute of 1/3/38. The Department had daubed the Moderates as the "Anti-Hospital Party"

were now being put on the Moderate councillors to abandon the scheme. In March, the Infirmary told the Department that they were now formally opposing the scheme, planning instead to develop their own services. Faced with this open hostility, the Department was forced to re-examine their even-handed approach to statutory and voluntary development. Previously it had limited its discussions to wanting the end of the mixed poorhouse and the transference of the sick poor to local authority general hospitals. These hospitals, wherever they were built, would only complement the work of local voluntary institutions. Now a voluntary hospital was not prepared to play that game; tradition, independence and financial solvency all told against co-operation. Recognising the wider implications of Greenock Infirmary's stance they minuted;

"There may be grounds for the fear of the voluntary hospital that the advent of local authorities in the general hospital field is the beginning of the end for them, but even if there be this danger, it must be faced as inescapable and the best possible arrangements made to maintain their claims on public generosity and gratitude for services provided". (1)

In Greenock there was an urgent need for new hospital provision which the voluntary movement had singularly failed to provide.

A month later the Council withdrew the scheme and the Department's policy seemed in tatters. Although they expressed their regret to the Council, further action was delayed. They had to hold

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1. *ibid.*, Minute of 21/4/38. The Department's Chief MOH, Dr. J. M. McIntosh 23/6/36 and SRO DD 10/169 "Special Areas Commissioner's Reports" minuted that Taylor had stated, "the general case perfectly for the municipal enterprise". He was later to comment that, "some local authorities are so small and financially weak as to be incapable of administering a dame school". The Health of Scotland, (London, 1943) p 27

their hand hoping that the November elections would see a swing to Labour and a change in policy. To assist this, they sent their Chief Medical Officer of Health to again survey the Poorhouse. He was equally condemnatory, believing that even the chronically ill could not acquire proper medical attention. Labour did regain control and to assist them still further, the Scottish Secretary, John Colville, reiterated the Government's belief in the development of the local authority hospital. In particular, he told a medical audience that whilst the voluntary hospitals were "the national expression of the spirit of liberty", it would be "a bad mistake" for them if they were to refuse to co-operate with local authority development of general hospitals<sup>(1)</sup>. But at the crucial vote one of the Labour Councillors voted against the scheme, and with a one seat majority on the Council, the Department's plans fell through<sup>(2)</sup>.

With the sheer density of ordinary Poor Law medical needs, with the unwillingness of the local authorities to abandon traditional poorhouse philosophy and combine in joint hospital schemes, and with the voluntary hospitals refusing to agree to local authority incursion into general hospital provision, Gilmour's "experimental" action had floundered. By 1939, only Aberdeen, Bute and Edinburgh had adopted Section 27. Of these three, only Edinburgh's conversion of the Craigleith Poorhouse into the

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1. British Medical Journal 1938 Vol 2 p 1223. Speech given to Glasgow Royal Infirmary, 10/12/38
  2. SRO HH 9/35. Minute of 22/2/39



Western General Hospital had been deemed a success. The use of discretionary power and the traditional tools of Scottish Central Government, administrative action was not leading to the abandonment of Poor Law medical provision nor meeting the perceived deficiencies in hospital care.

The early failures of the Department to engender greater co-operation between the various sectors and interested groups had led them to commission another Report on Hospital services by its Consultative Council on Medical and Allied Services<sup>(1)</sup>. But, like the McKenzie Committee, it was dominated by representatives from the voluntary sector and it again reiterated the belief that the voluntary hospital should occupy a central place in any local reorganisation of services. However, unlike the previous Committee, it did recognise that the public sector did have an important role to play and that in order to remove the Poor Law from medical services, Section 27 should be fully implemented. Voluntary hospitals ought to be able to charge for the care they provided. However, before it could report, another Committee, this time on local government expenditure, had recommended that there ought to be greater co-ordination of services<sup>(2)</sup>. A more exhaustive inquiry into health care was urged. Collins, the Scottish Secretary, already concerned that Departmental policy was not producing the "expected" results in improving the health of the

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1. Department of Health; Consultative Council on Medical and Allied Services. Report on Hospital Services (1933) Report dated 19/3/33. Of its seventeen members, only four had a local government connection
  2. Report of the Committee on Local Expenditure (Scotland) Cmd 4201 (PP 1932-3 Vol XIV) Chapter 7; see also SRO HH 1/486, 496-507

people agreed and in June, 1933, he announced the establishment of an inquiry into the Scottish Health Services<sup>(1)</sup>. Its aim was to review the existing services and make recommendations on any changes in policy and organisation thought necessary for the "promotion of efficiency and economy".

The Committee soon found that many of its witnesses were advocating greater statutory involvement in the provision of hospitals.

The BMA were emphatic on this need, stating quite openly that "the community in its corporate capacity must assume a part of the burden [of hospital provision] if the minimum requirements are to be met"<sup>(2)</sup>. Faced with this and other evidence on the disquieting aspects of Scotland's poor health standards, the Committee in its conclusions stressed,

"The existing health services are not fully adapted to modern conditions and outlook, and it is inherent in their more or less haphazard and sectional growth that they do not constitute a national health policy. The first essential is to integrate the separate services into a national health policy. The general aim of this policy should be to promote the fitness of the people". (3)

In hospital care it hinted that the voluntary hospital should, due to their precarious financial position, play a less pivotal role.

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1. British Medical Journal, 1933 Vol 1 p 1022
  2. ibid., Vol 2 1934 Supplement on Evidence to the Scottish Health Services Committee, p 10
  3. Report of the Committee on the Scottish Health Services, Cmd 5204 (PP 1935-6 Vol XI). A reservation was signed by A. Grierson, who felt the moves to central control were "premature". Once trade recovered, contributions and the ability to pay would improve. Another reservation was signed by seven members, including Joe Westwood, a former Labour Under Secretary which argued for a subsidised service

Indeed the local authority was to have a definite obligation to provide all types of hospital care. Further it recommended that the Department ought to have complete control over hospital development whether voluntary or local authority. It was suggested that this would be acceptable to the former if there were reasonable guarantees over future status in an integrated health policy. What these controls would be and how far all in the voluntary movement would agree was not, however, fully discussed. Despite this and other practical drawbacks, the Report did serve one useful purpose; from now on the Government and the Department could use it to legitimate any actions they thought necessary to increase State involvement in hospital provision.

Medical reaction to the Report was almost uniformly positive. The BMA applauded its recommendations and called for immediate legislation<sup>(1)</sup>. A group of Edinburgh surgeons also welcomed it. One doctor although unsure about the prospect of greater Departmental direction commented "but I recognise that it is inevitable and I suppose, viewed in its widest sense, beneficial"<sup>(2)</sup>. In 1938 armed with this Report and faced with the complete failure of their hospital policy, the Department approached the prospect of maintaining a war-time medical service with some anxiety. With the prospects of heavy bombing raids, gas warfare and troop casualties, the Department realised that local authorities were

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1. British Medical Journal 1936 Vol 2 p 27 Leader
  2. Transactions of the Medico-Chirurgical Society of Edinburgh (1936-7) Vol CXVI. "Discussion on the Report of the Committee on Scottish Health Services", p 1 and 21



too numerous and in most cases too small for quick and effective action in building a crash programme of hospitals<sup>(1)</sup>. Voluntary hospitals admitted that there was little they could do. One manager stated that with their acute financial problems he believed "the time had now come when Government must lend [them] a hand"<sup>(2)</sup>.

During 1938, the Government decided that the Department should build and maintain a series of emergency hospitals. Six were eventually built from scratch and four of these were sited at or near areas with severe shortages in hospital accommodation. Many other hospitals and asylums were extended by Government grants but these remained under local control. The policy of State managed hospitals in Scotland was in contrast to England where the local authority controlled all the purpose built hospitals. The Department's experience in trying to implement Section 27 had been too painful to allow it the possibility of sharing the control of wartime hospital administration.

Once the hospitals had been built by 1940, it was not long before consideration was given to the eventual post-war system of administration. Joe Westwood, the Labour Under Secretary of State in the wartime coalition, suggested in early 1941 the possibility of free medical service open to all<sup>(3)</sup>. The Scottish

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1. A full discussion on the origin and development of the wartime medical programme can be found in C. L. Dunn, The Emergency Medical Services, (London, 1952). The Secretary of State assumed responsibility for the Service on 1/6/38. The Department told the Cabinet that they placed little confidence in "municipal arrangements".
  2. British Medical Journal 1939 Vol 1 p 132. He was the Chairman of Glasgow Royal Infirmary
  3. SRO HH 65/93. Minute of 9/1/41

Office, severely pressed by wartime demands, low staff morale and a belief that the Department would not want to be involved in its post-war management, felt the time was inopportune for an enquiry. The Scottish Secretary, Ernest Brown, agreed<sup>(1)</sup>. But within three months, and unknown to the political secretariat, a Departmental "Office" Committee was established to consider the whole post-war hospital system<sup>(2)</sup>. It agreed that the long term aim to overcome the disparate services and Scotland's poor health record was a free hospital system. But it recognised that tradition, local democracy and a possible post-war revulsion to State controls would, probably, preclude its serious discussion. Instead it argued that the existing insurance system should be retained and extended, that State grants be given to voluntary hospitals and that Departments ought to control regional development. The reorganised system should provide treatment without the "fear of impoverishment" or stigmatisation that the existing system had created. The Report was welcomed by the new Scottish Secretary, Tom Johnston<sup>(3)</sup>. But he felt that the Department should continue

1. *ibid.*, Minute of 10/1/41
2. *ibid.*, Minute of 14/4/41. The proposal came from G. H. Henderson, an Assistant Secretary after he had discussed the idea with Dr. Taylor. Approval was given by the Permanent Secretary, W. R. Fraser on 15/4/41. Henderson had a Minute on the matter as early as 5/3/41. The Committee members included Henderson, Taylor, Miss M. Ritson, the Chief Medical Officer and W. Haddow. See HH 65/70-2 "Office Committee on Post-War Hospital Policy"
3. HH 65/93. Minute of 24/9/41

to run their emergency hospitals after the war. The promotion of national health had not been met by the historically haphazard development of hospitals. It was important to him that Scotland should have one Board to control all future developments, and he envisaged something similar to the Scottish Special Housing Association being created. To aid this evolution of policy, he agreed to another Hospital's Committee being established and the Principal of Glasgow University, Sir H. J. W. Hetherington, was appointed its Chairman<sup>(1)</sup>.

Unfortunately for Johnston and the Department, Hetherington refused to consider the possibility of the State openly becoming involved in the management of hospitals. His Committee stuck rigidly to a belief in the continuance of a voluntary and local authority division in the provision of care. Five regional boards, composed of equal representatives from the two sectors, would manage the post-war system. Johnston on hearing of the Committee's likely proposals, immediately wrote to Hetherington and told him in his view the abandonment of the Emergency Service "would be regarded as disastrous"<sup>(2)</sup>. Hetherington refused to accept this proposition, arguing that a "Public Corporation" would cut across the whole basis of his Committee's "calculations"<sup>(3)</sup>. So appalled was

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1. *ibid.*, Minute of 28/11/41 and 27/12/41. Scottish developments were now closely following the Ministry of Health's. A statement on the need for reform had been given in the Commons on 9/10/41; see Abel-Smith, *op.cit.*, Chapters 26 to 28
  2. HH 65/94. Minute of 7/6/43
  3. 65/63. Minute of 16/6/43; see also 65/62, 64-7 for the evidence to the Committee and the Report of the Committee on Post-War Hospital Problems in Scotland, Cmd 6472 (PP 1942-3 Vol IV). It reported in August 1943



Johnston that he ordered the Committee's Report be given only minor consideration. With his newly created Secretary of State's Council on Post-War Problems already agreeing that the Emergency Hospital programme should continue to provide treatment under State Control, the political debate between the interests of the older, voluntary forms of care and the predicates of the newer national consideration had been decided in favour of socialised medicine<sup>(1)</sup>.

Thus by the middle of the war, Scottish hospital policy was looking to the State to both provide grants to the Voluntary Hospital and to build and maintain hospitals wherever they were needed. The need for a degree of socialised medicine had been accepted. It was a complete reversal of the Scottish tradition of voluntary care and local accountability. The pursuit of the health of the people as a welfare goal demanded that relatively inefficient institutions should give way to national planning and Departmental control. The promotion of material welfare over-ran other considerations.

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1. SRO HH 50/166 "Scottish Council on Post-War Problems". Meeting of 21/5/43. The Committee was composed of all living Secretaries of State, and included, Munro, Elliot, Colville, Sinclair and Brown

CHAPTER EIGHTLEGALISM, ADMINISTRATIVE REGULATION AND THE MEANING OF POVERTY,  
1908-38

The failure of the Poor Law Commission to evolve a code for the regulation of public conduct had severely affected the prospect of immediate Poor Law reform. However the Commission's deliberations and recommendations had clarified the nature of the debate. Administrators now understood that the central question facing the Poor Law was whether, as a legally based welfare system it could be compatible with an expansive view of social needs. The Majority had argued that it could, but had tinged their recommendations with the need for character reformation. The Minority had argued that it could not, but had recommended that administrators should have unlimited powers of intervention. Neither appeared acceptable to the more popularly based electorate. One implied the inferior status of a citizen, the other negated the control of Government by the ballot box. The resolution of a debate between these two opposing perspectives centred largely on the meaning of poverty and the method of its relief. In doing so it helped form a key element in the new welfare state's system of public conduct; administrative regulation based on detachment from personal moralising. To understand this debate, it is important therefore to relate how the existing system determined the eligibility for, and level of, relief.

The predominant aim of the 1845 Act had been to create a system of welfare based on a legally determined concept of social

justice. This, as Chapter Two had indicated, resulted in an administrative system backed by legal rules and legal conduct. Officials, had to work not only for their parish, but for the good of the poor. If they felt that the parish was not providing adequate maintenance, they not only could, but had a legal duty to supplement relief. Failure to do so might result in prosecution. This personal responsibility, seen in the Barbara King case, was an essential ingredient of Poor Relief. Once a claimant had applied for relief (the inspector's office had to display a light throughout the night for emergencies), the inspector was compelled to make a decision within twenty-four hours. If the case was really urgent, for instance one demanding medical attention, he could on his own authority grant immediate interim relief. Thus the legal responsibility lay first with the inspector. Only when the parish had met and considered the case was that responsibility discharged. As a Board official explained to the Poor Law Commission,

"The responsibility resting on an inspector is somewhat serious, especially in cases where he refuses relief, for not only is he liable to dismissal by the Board for neglect of duty, but if the life or health of a poor person is endangered by such neglect, he is liable to prosecution on a criminal charge". (1)

Whatever a parish or the Board decided in advance about relief to certain categories of claimants, the inspector knew that the

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1. Evidence of Murray, op.cit., who gives one of the best summaries of the duties of officials and the structure of parish administration.



Courts would hold him ultimately responsible.

Inherent in this process was the belief that through clearly demarcated and highly observable rules, which could be openly tested in the Court, the rights of the poor would be guaranteed. Thus there arose a whole series of Court interpretations to supplement the Poor Law Acts. But the Court works in a precise manner. It was essential, therefore, for parishes, inspectors and the Board to have easily categorised ground rules for the disbursement of relief. A High Court Judge neatly summed up the nature of this system by arguing that,

"Judicial interpretations of a very generally worded statute should, above all, be simple and easily understood, even if it is somewhat arbitrary and occasionally imperfectly reconcilable according to pure reason. This, of course, is simply because Inspectors of Poor have before them, weekly and daily, problems arising in different circumstances, which it is desirable that they should be able to solve by a kind of footrule judgement. The Poor Law should be such that cases fall readily and clearly into well defined categories, and do not hover, like uneasy spirits between heaven and earth". (1)

Thus, unless an Act of Parliament was passed shifting the grounds of eligibility, only the Supreme Court, the House of Lords, had the absolute authority to determine new grounds for the receipt of relief. However, the House of Lords was not going to meet every other week, or even annually, to determine eligibility. It was the duty of the Lords and the Lower Court to provide the ground rules that would be easily understood by future generations

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1. BLM, 1925, p2; note the critical comments on a legally based system of welfare in M. Adler and S. Asquith, Discretion and Welfare, (London, 1981) Chapters 1, 5 and 7; for a wider perspective on the utility of a Court centred system see, J. N. Shklar, Legalism, (Cambridge, Mass, 1964). Introduction and Part 1 and for a theoretical perspective, see, D. Miller, Social Justice, (Oxford, 1976)

of administrators. Decisions taken in the 1850's on eligibility therefore largely determined the nature and form of relief in the 1900's. Whatever alterations in practice that did occur had always to consider the possibility of the Court construing the action illegal. There were four essential elements in the Courts deciding on this legality; they were the two processes of the Sheriff's appeal and the appeal to the Board, and the two concepts of "needful sustentation" and the "means test". They shall be dealt with in turn.

The Sheriff's appeal was designed to be a quick and cheap method of reviewing a decision of the inspector of poor to refuse relief. Where it had been refused, the claimant was legally obliged to receive a written note, called a line of refusal, which stated the inspector's reasons. The claimant could then take this note to the local Sheriff Court where the Sheriff or his Substitute would decide after hearing the claimant's case whether interim relief should be given. If decided it should a written order would be supplied for the claimant to give to the inspector<sup>(1)</sup>. After giving relief, the inspector could then demand a further hearing of the Court where, with full legal representation he could state his case. The critical element in this appeal system was its speed. In Glasgow, it would only take a claimant a few minutes to walk from the Parish office

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1. see Appendix 8a for a copy of Sheriff's Order and an Application Form for a complaint of inadequate relief

to the Sheriff Court. Outside many county towns, it might have taken a day's travel, but the same principle remained. This was explained by one Sheriff to the Poor Law Commission, "as a rule the applicant is kept waiting till the Sheriff is disengaged; it may be a minute or two, and it may be rather longer<sup>(1)</sup>. However, the Sheriff could only determine that relief ought to be given. He could not indicate how much or in what form. This aspect of an appeal was the Board's responsibility.

The appeal to the Board, because it was concerned with the adequacy or the amount of relief, was a more long drawn out affair. Here it was expected that much more would have to be attested than a simple assurance that no claimant would be denied access to the receipt of relief. Greater consideration of the case's detail would be needed. Under the old Poor Law a claimant's only appeal had been direct to the Court of Session, which, unless there was a willing agent for the poor to shoulder the financial cost, meant few could pursue their legal rights<sup>(2)</sup>. With the central authority acting as an intermediary between the parish and the Courts, the claimant was in a better position. Indeed if the claimant was unable to complete the appropriate forms, an inspector had a duty to do it on his behalf. After due consideration of the case, which might include a visit from a general superintendent of poor, the Board

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1. RCPL(SE) Evidence of Sheriff A. O. M. MacKenzie (Sheriff-Substitute of Lanarkshire) given on 13/1/08
  2. see comment by Levitt and Smout, op.cit, p 180 and fn. 5



would issue its determination. If it felt the claimant was entitled to a specified amount and the parish refused it could issue a Minute entitling the claimant to the benefit of the poor's roll in the Court of Session. A further appeal was available to the House of Lords. By 1906 the Board had received nearly 22,000 such appeals<sup>(1)</sup>. Although the majority of them had occurred in the early years of the Act, there were still about 100 per annum in the 1900's. This reflected a more general appreciation of what constituted adequate relief by claimants, inspectors and parishes. Similarly, Sheriff's appeals also declined in number. Again a consensus emerged on what the Court would construe as entitlement<sup>(2)</sup>. These appeals, important as they were in protecting the legal rights of the poor, have tended to have been regarded as the only protection the poor had in the Courts<sup>(3)</sup>. This view is somewhat fallacious. There were two other legal concepts which were of vital importance in determining a claimant's rights. First and foremost was the concept of "needful sustentation". This was used by the Courts to determine the amount or form of relief that was appropriate in each case. The Legal Member of the Board stated to the Poor Law Commission, a view that had hardly altered since the first Minute of 1845,

"Such amount necessarily varies in accordance with the standard of living in the locality. We aim at giving

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1. Evidence of Murray, op.cit
  2. ibid., Evidence of A. O. M. MacKenzie., Murray states that the number of appeals in the early years was over 1,000 per annum. By 1906 it was less than 500
  3. for instance, Patterson, op.cit

the pauper an allowance sufficient to maintain himself, without putting him in a position better than that of those in his own class who support themselves". (1)

The maintenance of life, and hence "needful sustentation" was seen as a comparative term, linked not to some absolute concept of physical fitness, but to the moral and economic propriety of allowing the non-productive, publically dependent person a certain sum of relief.

However it was a double edged concept. Although claimants could not receive more than an independent labourer's wage, they were not to receive a pittance. Despite many boards having adopted this policy, especially after 1870, the Board did not always obtain uniformity. Thus as late as 1910, it was forced to conduct a special inquiry into outdoor relief in Inverness<sup>(1)</sup>. There, the Board had found the continuance of a high rate of "pauperism" combined with low relief scales. Many claimants had been forced to supplement their benefit by begging and others had drifted into the two specifically to claim whatever they could. The Board itself could get the application of the concept wrong. In the Barbara King case, the local Inspector had asked for advice and been told his duty would be discharged if the claimant refused poorhouse relief<sup>(2)</sup>.

Related to the concept of "needful sustentation" was the "means

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(1) Mapherson, *op.cit.*

. SRO HH 61/2. "Special Report as the Outdoor Poor of Inverness, 1910". The investigator was J.J. Jeffrey, a Board Clerk. Inverness was the "social sink for the north of Scotland".

.. see Chapter 2, p 17

test". No claimant could escape from the application of this concept to both their own and family's income. All a claimant's own income was deductable, including benefit from a friendly society<sup>(1)</sup>. The only disregard the majority of parishes would consider was where a claimant did some part time or casual work. To encourage "the spirit of independence" and to offset legitimate work expenses not all earnings would be taken into account. However the Court had issued a ruling that gave a claimant some protection from the means test and made Scottish Poor Relief quite different from English. In 1885, it had stated,

"The relation of debtor and creditor never exists between these people (the claimant) and the parish which relieves them. This money is expended and presumably properly expended, and no claim arises thereout ...". (2)

Putting it more simply because Scottish law granted the individual a greater recognition of their right to relief as a "free" person the parish could not claim any monies expended from the claimant's future estate. Those who inherited money or became productive workers had no fear that the parish would make a claim. Poor Relief was not a loan. So engrained was this aspect of the means test that when the 1927 Act was passed in the wake of the miners' strike which allowed relief on loan, few parishes

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1. RCPL(SE). Evidence of J. Stewart and E. B. McPherson; Glasgow PCM 16/10/06 and 4/12/06 where Council voted by 16 to 13 against any extention of the English 1904 Act which allowed the non-deduction of the first 5/- of friendly society sick benefit. A Private Member Bill on this issue failed to obtain Government support in 1909.
  2. The Inspector of Poor of Kilmartin v. MacFarlane, 1885, 21 R. 713



bothered to use this new power<sup>(1)</sup>.

In contrast to a claimant's future estate, the estate of their relatives were at risk. Following the Hoseason v Hoseason case in 1870, husband's had to support their wives (though not necessarily the reverse), fathers and mothers their children and grandchildren and children their parents and grandparents<sup>(2)</sup>. Those who benefitted from a father's estate within the family (eg an eldest son), also shared in this duty. However parishes were keen to emphasise the moral obligation of collateral relatives<sup>(3)</sup>. The Board backed this and within its 1878 Circular on the use of the poorhouse as a test had stated that, 'persons having collateral relatives in comfortable circumstances ought not to receive outdoor relief'. The poorhouse could be used to enforce this obligation.

Whatever the Board or parishes had decided there were two important Court decisions that mitigated the concept's wholesale

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1. Torphicen PCM, 7/3/28 and 12/12/28. The Parish found the local colliery would not say what the previously unemployed's wages were. The Parish gave up, stating the procedures were too "troublesome"; see also Fife CCM, 6/5/32; Stirling TCM, 6/12/30 and Stirlingshire CCM, 24/12/30 and 22/10/31 where no discussion of strike relief by way of loans
  2. Hoseason v Hoseason, 1870, 9 M. 37
  3. RCPL(SE). Evidence of Motion who complained about the implementation of the legal concept of "lucratus", that is where a son-in-law had financially gained by a marriage. The majority were able to claim they had not gained and therefore need not support their wife's parents

application. Firstly, it had decided that a parish's attempt to enforce familial obligations by an offer of the poorhouse had to be tempered. In 1867 it had ruled that the "test" was not to be a "test of ability to endure privation"<sup>(1)</sup>. Secondly in 1877 it had ruled that children ought to have "a superfluity (of means) after providing for the maintenance of themselves and their families"<sup>(2)</sup>. Although in the 19th century this was not construed to be of a great amount, parishes had been forced by this and the former decision to acknowledge the limits of moral administration<sup>(3)</sup>.

Necessitous sustentation and the means test were therefore important legal concepts which delineated how much and in what form relief ought to be given. The Court was there not only to adjudicate on excessive amounts but also on the paucity of relief. In essence it was a system designed both to protect the poor from the vagaries of ratepayer control and ensure some consistency in the method and amount of relief. Yet its very nature entailed its chief shortcoming. The Sheriff's appeal may have been swift and inexpensive to operate, but the need for well grounded rules of assistance meant a system had been created which was inherently conservative in its view of change. A legal bureaucratic system of welfare implied that established and observable rules were there

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1. Forsyth v Nicholl, 1867, 5 M. 293.
  2. Hamilton v Hamilton, 1877, 4 R. 688
  3. PLM, 1881, p 404. Beattie v Crozier, where a man with six children and an annual income of £185 was held liable for the full cost of his wife's asylum care

to be followed<sup>(1)</sup>. To do otherwise, to create a system adaptable to immediate exigencies would, to the proposers of the 1845 Act, have undermined public and social order. Incremental alteration in entitlement, by leaving everyone unsure of their rights and duties would generate arbitrary power amongst administrators and sustain a feeling of injustice within the working classes, the very antithesis of a sound, efficient and controlled welfare bureaucracy.

By the 1890's, with the arrival of the more democratically elected parish councils and the prospect of greater litigation between parishes over settlement issues, the Liberal tenets of improving the efficiency of political institutions seemed to have encountered a contradiction. Thus the necessity for a reassessment of the Court's role became urgent. The 1898 Poor Law Act was the result<sup>(2)</sup>. Where parishes agreed on the facts of a dispute in a settlement case they could if they so wanted approach the Board to provide arbitration. In these cases where the Board was chosen as the Court there was no further right of appeal. In consequence the Board was under an obligation to "follow the lines of the law as laid down in the decision of the court"<sup>(3)</sup>.

Thus, by the time the Board indicated that "respectable" widows with children ought to receive more liberal treatment in 1902,

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1. a classical statement of legal-bureaucracy can be found in, Gerth and Mills, *op.cit.*, Part VIII; Parsons (ed) *op.cit.*, Part 3; note also the comments by M. Albrow, Bureaucracy. (London, 1970) Chapters 2, 3 and 5
  2. Annual Report of the Local Government Board, 1898. C 9273 (PP Vol XXXVIII 1899); Evidence of MacPherson *op.cit.*, "efficient" Poor Law Reform had entered the political manifestos during the 1895 General Election, see J. D. Young, "The Rise of Scottish Socialism" in G. Brown (ed) *op.cit.*
  3. Evidence of Murray *op.cit.*



there had been an important shift in the legal administration of the Poor Law. With parishes realising that the use of the Board as a "Court" was both swift and inexpensive, the number of determinations began to equal those going through the ordinary Court. Indeed so popular did these determinations become that many parishes approached the Board to adjudicate in cases outside the terms of the 1898 Act. A far greater degree of Central control over what constituted adequate and proper relief had been acknowledged as necessary to maintain the efficiency and legitimacy of the system. By 1910, after the Poor Law Commission Reports, the central issue had become clear; how parish councils and the Court could respond to the pressure for more expansive and ameliorative relief policies. One of the first issues that arose concerned the adoption of set scales of relief.

With an established philosophy stressing the discriminatory treatment of claimants, all parishes operated their relief committees on the principle of "each case on their merits". It did not matter whether it was a small rural parish like Glasserton, an industrial one like Bothwell or a city one like Glasgow which had a complex system of committees, each councillor, after hearing an inspector's report decided what an individual should receive<sup>(1)</sup>. In the smaller parishes which met every few months (six months was the legal maximum), councillors would

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1. for example, Glasserton PCM 16/11/09. "Revision of Roll"; Bothwell PCM 13/2/96. "Review of Applications"; Methods of Administering Poor Relief Committee, 1905. op.cit., see Appendix 2B for a copy of an application form.

make this decision collectively and if necessary after a vote.

In the medium sized ones, like Bothwell, separate relief committees, composed of a number of councillors, would operate on a more frequent basis. Their decisions could be reviewed by the whole council. In parishes like Glasgow with thousands of applicants each year, a more elaborate structure was necessary. The 1905 Report explained Glasgow's system,

"The parish is divided into 12 relief districts. While the Relief Committee nominally consists of the whole Council (of 31 members), in actual practice the administration of relief is remitted to the individual members; and two committees (each consisting of a single councillor) sit daily on five days of the week. A councillor's turn for duty on the Relief Committee comes round once every three weeks ... any applicant, councillor, or the inspector of poor may appeal against a single member's decision to a Relief Appeal Committee, consisting of 11 members, who meet once a month". (1)

A further appeal by any party could be made to the full council (2).

Each of the other larger parishes, Edinburgh, Govan, Dundee and Aberdeen all had different relief committee systems, but it did not alter the basic principle; a claimant's power to determine the outcome of their application lay in the hands of an inspector and a councillor taking into account what the existing law stated and what might be obtained on appeal through the Court.

Up to the 1900's, this method of individualised treatment had, by contemporary accounts, worked reasonably well. However the increasing number and variety of claimants in the larger

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1. *ibid.*, p 11

2. for an example of an application form see Appendix 8B

parishes meant that the relief committee system ceased to function in the manner planned. There was simply less time for each councillor to consider any particular case. In Glasgow, during the peak periods of applications a Relief Committee would have to deal every day with over fifty cases, twice the number in 1899<sup>(1)</sup>. Moreover the early 1900's witnessed a general concern over the Poor Law's adequacy and parishes slowly began to increase allowances<sup>(2)</sup>. These two factors were combined with a third, and for many witnesses to the Poor Law Commission one that was far more worrying. Many of the newer more popularly elected councillors had neither any knowledge of the Poor Law nor any direct experience in charitable work<sup>(3)</sup>.

The 1905 Committee had noted this alteration in administrative practice and had suggested not only a closer scrutiny of relief

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1. abstracted from Inspector of Poor's Annual Reports. PC Special Prints
  2. see Appendix 2 for growth of expenditure; also comments by Scottish Poor Law speakers in the Transactions of the Fourth International Home Relief Congress, 1904. (Edinburgh, 1905)
  3. Evidence of Mrs I. C. Martin (Dundee School Board) and Miss M. L. Walker (Dundee Parish Council) given on 17/7/07, Miss E. Hawden (Edinburgh Parish Council) given on 12/6/07 and Miss E. J. Aikman (Glasgow Parish Council) given as Appendix III and W. Baird (Glasgow Parish Council) given as Appendix IX. Baird in particular stated that the relief committee decisions often depended on the "mood of the member".



committee work by the whole council but also the utility of introducing fixed scales of relief<sup>(1)</sup>. This would enable the council to set far more effectively the boundaries of individual decision-making. All the parishes concerned refused to consider the issue. They believed they could continue with the traditional practice and maintain the viability of their relief policy<sup>(2)</sup>. This was soon tested in Glasgow, where the 1908-9 trade depression caused a 30% increase in applications. The ability of their Relief Appeal Committee to monitor and standardise policy came under particular stress. In 1909, when a Labour councillor, James Stewart suggested the possibility of introducing set scales the other councillors willingly agreed to review its potential<sup>(3)</sup>.

During the Review Committee's discussions, the issue at stake soon became clear. Stewart knew he was introducing a new and potentially much more expansive concept. He argued specifically that outdoor relief ought to,

"be adequate to enable the person receiving relief to live in such condition as will tend to promote physical and mental health". (4)

He proposed a scale that would have increased basic allowances by about 40%. Another councillor suggested a different scale, increasing allowances by 20% and after considering a study of working class budgets completed by one of the other councillors,

1. op.cit. Recommendations 1 to 7 and 35
2. An attempt as early as 1900 by a Glasgow Catholic councillor to put the issue on the agenda had been ruled as incompetent. PCM 3/4/00. A similar fate affected a Labour Move in 1902. 4/2/02
3. ibid. 7/9/09, 24/9/09 and 24/9/09
4. ibid. 25/5/10. "Memoranda on Scales of Relief".

the Committee duly recommended this increase<sup>(1)</sup>. The Inspector of Poor was furious. He vigorously attacked this radical departure from established policy, arguing that,

"At present, a Councillor, by what he learns from the Inspector and applicant, can use his own judgement as to the truth of the particulars given him, and fix or refuse the alim<sup>nt</sup> accordingly; whereas, if he is tied down by a fixed scale, while perhaps convinced that he is being deceived, the hopelessness of proving the deception is such, that there is nothing left for him but to grant relief according to scale".<sup>(2)</sup>

Worse the blanket application of the scales might allow deserted wives unconditional outdoor relief and this and the higher payments would mean many more of the "industrious" families giving up the struggle and applying for relief. He concluded by pointing out that at present many who did receive assistance from their family did not have all of it taken into account. Councillors used this to foster a sense of family obligation and lead the way to self-improvement. Under the new scheme this could not occur. Those who gave something would be in the same position as those who avoided any assistance. It struck at the heart of the established philosophy, the cornerstone of nineteenth century ideology on social improvement, adequate but discriminatory treatment. The councillors remained unimpressed by the Inspector's pleas. They wanted change and in September 1910 the new scales were introduced<sup>(3)</sup>. Within three weeks however some of the Inspector's fears had been

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1. The disparity between budgets and allowances had been noted by the Parson Inquiry and also the Dundee Social Union Report. For the latter see the evidence of Martin and Walker to the RCPL(SE). Allowances were reckoned to be only two-thirds of needs levels
  2. Glasgow PCM, 6/9/10
  3. ibid.

substantiated<sup>(1)</sup>. The rigid application of the scales did lead to many "respectable" poor whose families had provided some support being struck off the Roll and others whose families now refused being added. The scheme was temporarily abandoned. What the councillors had neglected was the need to formalise the practice of the means test. Setting a level of necessitous sustenance was not sufficient. Although the Inspector continued to argue against any scale he presented a modified one with a set of disregards for family earnings. It increased the scales by about 25%<sup>(2)</sup>. With the councillors agreeing that some form of discretion was still important the new scales were introduced with the proviso that they would be regarded as a minimum<sup>(3)</sup>.

Thus the issues which Glasgow had debated for over a year had been thrashed out an important re-direction of Poor Law philosophy and practice. A new meaning had been given to the way the Poor Law had treated poverty. It was no longer solely a fusion of legal and moral concepts, but one of administrative regulation which ensured the claimants treatment depended on the formal categorisation of his circumstances. However, hidden within this new scheme was another important shift, one which lessened the power of officials and councillors to deal individually with any case. By knowing in advance the minimum amount they could obtain and deductions they would

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1. *ibid.*, 27/9/10

2. *ibid.* 21/10/10 and 11/11/10. "Memorandum by Inspector of Poor on Scale of Alimant".

3. *ibid.* 11/11/10, 24/11/10 and 5/12/10. The vote was fourteen to nine in favour; see Appendix 8c for scale.



suffer, a claimant now had a greater degree of protection from any sudden shift of a relief committee's attitude. Any debate now had to centre on the quantum of the scales and the further elaboration of disregards.

In this, Poor Law administrators were simply reflecting the newer statutory welfare agencies. Already the 1908 Old Age Pensions Act had by providing benefit through the Post Office destigmatised statutory assistance to the elderly. No longer were their needs viewed in the moral language of adequate but discriminatory treatment, rather they had a right to welfare unhindered by the scrutiny of an inspector of poor. The 1911 National Insurance Act went further, utilising broad categories of assistance for unemployment, sickness and pregnancy. Thus for the poor, a new form of freedom was being created, one based on a consideration of privacy<sup>(1)</sup>. The State may have assumed the mantle of an arbiter of social ills, but it had to acknowledge that it could not automatically demand the alteration of an individual's behaviour. The working class electorate would not accept a Hobbesian Welfare State.

By 1919, with wartime inflation throwing the ability of most other large councils to adjudicate equitably into confusion, scales became widely adopted<sup>(2)</sup>. However, there had occurred

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1. see for instance the comments by <sup>S/</sup>Lukes, Individualism, (Oxford, 1973) on the nature of modern privacy
  2. for a note and comparison of scales operating in 1919, see Bothwell PCM, 29/3/20 and Govan PCM, 3/3/20

two other important developments. Firstly there had been a steady growth of survey work into working-class budgets and diets. Beginning with the Lindsay study in Glasgow, Professor Noel Paton's team of researchers working for the Medical Research Council slowly gained greater precision on what an average working-class budget was and what constituted a proper diet<sup>(1)</sup>. Thus a more accurate knowledge was obtained not only on the physiological and material needs of adults and children, but on how the working-classes normally spent their money<sup>(2)</sup>.

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1. D. E. Lindsay, Report upon a Study of the Diet of the Labouring Classes in the City of Glasgow. (Glasgow, 1913); E. M. Elderton, "Heights and Weights of School Children in Glasgow", Biometrika. (1914) Vol 8, p. 340; M. Ferguson, "The Family Budgets and Dietaries of 40 Labouring Class Families in Glasgow", Proceedings of the Royal Society of Edinburgh, (1916-17) Vol 37, p 117 and "A Further Study ...", ibid., (1917-18) Vol 38, p 40; A. M. T. Tulley, "A Study of the Nutrition and Economic Conditions of Working Class Families in Glasgow in April 1921", Lancet, (1921) Vol 57, p 286; D. N. Paton, "Rickets, the Part Played by Unhygienic Social Conditions", Glasgow Medical Journal (1922) Vol 97, p 129; A. M. T. Tulley and E. M. Urie, "A Study of the Diets and Economic Conditions of the Labouring Families in Glasgow in June 1922", ibid., (1922) Vol 98, p 353; A. M. T. Tulley, "A Study of the Diets and Economic Conditions of Artizan Families in Glasgow in May 1923", ibid., (1924) Vol 100, p 1; Paton (et al), "Poverty, Nutrition and Growth", op.cit
  2. see the articles by T. C. Smith in PLM, 1916, p 320, "What is Adequate Relief?", 1917, p 229, "Causes of Pauperism" and 1925, p 321, "Some Essentials in the Administration of Poor Law Relief", see also I. Levitt, Poverty and the Poor Law, (MA Dissertation, Edinburgh University, 1972) Chapters 2 and 3 dealing with comments from Forward 1920-8, on Poor Law adequacy.

Secondly, as Chapter Six indicated, Labour took control of ten parishes in 1919 and increased its representation on many more. It was in the left-wing dominated parishes of West Fife that the issue of set scales of relief was again tested<sup>(1)</sup>.

With the increased number of councillors elected in 1919, Labour felt it was time to launch a more co-ordinated attack on the Poor Law. In early 1920 the Party called a conference of parish councillors and they agreed to issue a set scale of relief some 40% in real terms above the pre-war Glasgow one<sup>(2)</sup>. The West Fife parishes of Auchterderran, Ballingry, Beath and Wemyss all considered that their existing allowances were inadequate. Only Beath and Ballingry had set scales of relief and these had been introduced before the 1919 elections at a level only marginally higher than Glasgow's<sup>(3)</sup>. To the Labour councillors in each of these four parishes, the war had seen an improvement in the working classes "standard of comfort". It was only just that the poor should also share in the increased material pleasures of the times. With minor modifications they all adopted the suggested scale<sup>(4)</sup>. But Beath went further, agreeing to a very generous interpretation of earnings disregards for the claimant and the claimant's family. Although postwar inflation continued to rage until the late autumn all of the parishes concerned were paying a scale of relief 20% above Glasgow's. It was a sizeable

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1. See MacIntyre op.cit., for a discussion of the political background to the West Fife area
  2. Ballingry PCM, 10/3/20. Conference held on 24/1/20 and Circular issued on 4/2/20
  3. ibid., 12/11/19; Beath PCM, 25/11/19
  4. ibid., 24/2/20 and 27/4/20 and see appendix 8d for scale; Auchterderran PCM, 13/2/20; Ballingry PCM, 14/4/20; Wemyss PCM, 25/2/20



redistribution of income.

The difficulties that this redistribution created for established policy soon became apparent. Within four months of adopting the scale, Beath found the nearby parish of Dollar raising objections<sup>(1)</sup>. It had discovered one of Beath's claimants residing in their area receiving 86/- a week. This was well in excess of their own scale and what made it much worse to them it was a case of a mother with eight illegitimate children. The Board were equally shocked and told Beath they thought they had committed "a serious act of maladministration". It was an encouragement to "extravagance and profligacy" and they urged the Council to offer the woman poorhouse relief and board-out the children. Beath remained unimpressed. The chairman stated he felt the only real objection was that the woman had eight illegitimate children. There was little evidence that her house was untidy and her children illtreated. Another councillor stated that it would cost more to board-out the children and would probably harden the mother into being "immoral". After a deputation to the Board was told that it re-affirmed its position, the Council agreed that they would endeavour to bring the family to Beath for more direct "supervision". If she had any more children she would be offered the Poorhouse<sup>(2)</sup>.

Thus the Labour Councillors at Beath were striking at the heart not

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1. Beath PCM, 9/7/20. Board's letter of 2/7/20

2. *ibid.*, 27/7/20, 3/8/20 and 28/9/20. Board's letter of 26/8/20

only of established philosophy, but at the new direction of policy first introduced by Barony in the 1880's. It was not necessarily correct, Beath argued, for parishes to assume immorality where there were illegitimate children. Such mothers need not have their homes broken up on a "less eligibility" principle.

The Board was not at all happy with the implications of this new policy. By the end of 1920 with the decline in the cost of living, it wrote to all the parishes concerned warning them that their auditors might regard the scales of relief as excessive. They told Beath in very strong terms that,

"The powers and duties of a parish council in regard to poor relief are limited to the provision of "needful sustentation". While, generally the question as to what is "needful sustentation" in any particular case is left to the discretion of the parish council, the Board are charged with the duty of seeing that excessive expenditure is not incurred, it becomes liable to surcharge. The Board have given careful consideration to the scale adopted by your parish council, and, while recognising the present need for substantial increases over pre-war rates, they are of the opinion that the scale is excessive".<sup>(1)</sup>

Beath, already considering the possibility of introducing another disregard for friendly society payments refused to reconsider their scales. They told the Board that they felt they were in the "best position to judge what was 'needful sustentation'". The other parishes also refused, Ballingry informing the Board that "they had not gone as far as they might".

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1. *ibid.*, 14/12/20; Auchterderran PCM, 16/12/20; Ballingry PCM, 8/12/20. The Board sent letters to each on 4/12/20

The Board hastily replied to Beath's proposal to disregard friendly society payments. It would require legislation which they would not support<sup>(1)</sup>. However in an attempt to offset some of the Board's criticisms, Beath introduced a slightly stricter means test. The other parishes also refused to reduce their scales with Auchterderran re-affirming Beath's stance on relief to "immoral" families. Women whose husbands were in prison were to receive outdoor relief<sup>(2)</sup>. Thus by the spring of 1921, the parishes were in open conflict with the Board and prevailing Poor Law philosophy.

The Board's attitude hardened and in April it dispatched two General Superintendents of Poor to conduct a special inquiry<sup>(3)</sup>. Beath were told that reductions were essential. With other parishes reducing their scale of relief in line with the cost of living index, the West Fife area had a scale of relief some 30% higher than anywhere else. Moreover wages had also fallen and many claimants had a higher income than their working neighbour's. They were specifically asked to reduce their basic allowances and introduce sliding ones for extra children in a family. The Board stated that,

"The system under the scale adopted by your Parish Council of granting a fixed allowance of 10/- per week for each dependent child is obviously unjustifiable. It should be borne in mind that a family of five children may be adequately fed for a lower sum per head

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1. Beath PCM, 18/1/21
  2. ibid., 22/2/20; Auchterderran PCM, 19/1/21, 24/2/21 and 9/6/21
  3. Beath PCM, 24/5/21. Board's letter of 13/5/21. See Appendix 8D for text



than is the case with say, a family of two".

Further the means test ought to be more rigorously applied.

They re-affirmed established philosophy by arguing that,

"Apart from the legal obligation on working members of a family to support their parents, there is a moral obligation on such members to contribute towards the support of their younger brothers and sisters and the Parish Council ought to keep this strictly in view. Looking therefore to these obligations, a son or daughter is not to be regarded merely as a lodger and his or her contribution to the household expenditure must not be limited to the amount that would be paid for his or her board and lodging".

Those claimants who received some part-time earnings and those who took in lodgers should also have a greater proportion of their allowances deducted. Beath again refused to consider the issue. It was only when Ballingry received a notice of a surcharge of £181 that the parishes began to alter their stance<sup>(1)</sup>. Despite some councillors stating they would be prepared to go to prison over the issue, the parishes had found they were caught up in a bigger crisis, that of assisting the unemployed. Worried about the debt that might create and the general illegality of the payments before the 1921 Act became law, they all gradually began to reduce their ordinary poor scales<sup>(2)</sup>. By early 1922 they were offering allowances only 10% higher than the pre-war Glasgow scales.

Behind all of this activity in West Fife there lay an important lesson for the future of Statutory Welfare. The Board assumed

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1. Ballingry PCM, 6/9/21; Dunfermline Free Press, 3/9/21
  2. Ballingry PCM, 14/9/21, 9/11/21, 14/12/21 and 10/5/22;  
Auchterderran PCM, 28/8/21, 30/1/22, 27/3/22 and 12/4/22;  
Beath PCM, 25/10/21, 28/2/22; Wemyss PCM, 20/2/22

a far larger role in the design and implementation of policy. The "velvet glove" approach, so lauded by its Legal Member and Lord Balfour to the Poor Law Royal Commission had been removed. The by-product of an enlarged, investigative and "politicised" Board was the slow strangulation of local initiative, experimentation and decision-making. Instead of the Board being deferential to parish council's wishes, it was now the reverse, parish councils had lost a significant part of their authority. The alleviation of poverty and the public meeting of material needs had become so central a political issue that the National Government had felt the necessity to enter the arena of overt control.

Whatever the failure of their action, the West Fife Parishes had demonstrated one important point, that there was a new breed of councillor who was <sup>only</sup> not openly hostile to the prevailing notion of "needful sustentation" but also the nature and function of the means test. Moreover to them, public welfare agencies ought not to pursue a policy of wilful discrimination. Thus mothers with illegitimate children or wives that had husbands in prison were not "ipso facto" categories that ought to receive greater stigmatisation. Throughout Scotland, these aspects slowly began to be recognised by other parishes under ratepayer control. Glasgow, when it re-examined its scales in 1921 agreed to disregard a higher proportion of family income and increase its basic allowances<sup>(1)</sup>. By 1922

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1. Glasgow PCM, 28/6/21. "Memorandum by Inspector of Poor on Outdoor Relief Scale of Alimant". See also Appendix 8E

the majority of other large industrial parishes had followed suit. Basic allowances had been pushed up 10% in real terms and in the application of means test only one third instead of two thirds of family income was being taken into account<sup>(1)</sup>. The increased standards of "comfort" and the growing materialism had meant that families now wanted to spend more of their earnings on their own needs. In consequence they had less to contribute to the welfare of their parents and other relatives. The parish in order to maintain the electorate's confidence had been forced to accept the necessity of altered practices.

Thus parishes and the Board had acknowledged that it was possible to develop administrative regulations to mitigate some aspects of Poor Relief policy. However the West Fife parishes had demonstrated its limits. Many administrators, including the Board still preferred to define poverty in established legal and moral terms. Apart from extra assistance to the elderly, little else occurred in the 1920's to elaborate a Poor Law needs level<sup>(2)</sup>. There was therefore an absence of pressure on the new public assistance committees to either increase basic allowances or further modify the means test<sup>(3)</sup>. Attention must therefore be turned to the legal limits of administrative action, the decision of the Court, to assess its impact in developing policy.

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1. for a comparison on scales, see Bothwell PCM, 1/11/21 and Old Kilpatrick PCM, 5/5/26
  2. for instance see Cambuslang PCM, 12/5/27, Bothwell PCM, 2/9/29 and 12/9/29; Bonhill PCM, 22/2/29 and Govan PCM, 26/9/29
  3. for a comparison on scales, see the evidence of Sir H. S. Keith to the Royal Commission on Unemployment Insurance. "Scales of Relief to the Ordinary Outdoor Poor"; also Edinburgh TCM, 26/2/31, "Scales of Relief and Deductions to the Ordinary Poor", Appendix 8F contains the Glasgow scale in 1930



One of the central themes running through the Poor Law Commission's Majority Report had been the need to improve both Poor Law administration and the condition of the poor. In this they had begun to question the suitability of judicial control over the elaboration of need<sup>(1)</sup>. Adherence to procedural rights inherent in a legally based system was not necessarily seen as promoting more substantive rights. Poverty was no longer a concept that could be defined in purely legal terms, it was one which demanded adaptability to changing material circumstances. With the prospect of immediate Poor Law Reform diminishing as the Liberal Government pushed through the new insurance legislation, the problem facing administrators was whether or not the existing legal system could make a more positive response to this new call for adaptability.

In some respects the Court had already acknowledged that more responsive judgements were necessary. The Coupar Angus decision indicated that the Poor Law could be adaptive and concern itself with meeting immediate social need. With the Board using the decision as the basis for elaborating able-bodied entitlement, the middle 1900's had witnessed the Court adopting a new role in extending eligibility. This new role was underlined in 1909 by the Cuthill v Inverkeillor Parish Council case.

Mrs Cuthill was an aged widow with a resident but mentally and physically weak son who earned about 14/- a week in casual labour<sup>(2)</sup>.

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1. see particularly recommendations number 1, 5, 38, 39, 40, 45, 53, 54 and 57
2. PLM, 1909, p 177 and 1910, p 6. "Cuthill v Inverkeillor PC". The first case was heard on 2/2/09 and the second on 3/12/09

She had three other children, who although married had given varying amounts of support over the years. In 1906, now residing in Carmyllie Parish, Poor Relief was applied for and given. The parish of settlement, Inverkeillor accepted the claim and duly paid Carmyllie the appropriate amount of relief. A year later Inverkeillor changed its mind, they believed that her children's legal and moral duty to support her had been neglected and to enforce its policy they offered her poorhouse relief. This was of course no more than traditional practice where a parish felt that the family's willingness to support ought to be tested.

The reaction was immediate, with Carmyllie and the Board expressing horror that a "home for two respectable people" would be broken up. An appeal was lodged with the Board, who stated that the offer was inadequate and that relief should continue as Carmyllie had decided. A Minute was duly issued<sup>(1)</sup>. Two years of litigation then followed. First of all, Inverkeillor tested the legality of the Minute in the Court of Session, arguing that the Board had no power to determine the form of relief, only its amount if given outdoors. The legal move failed. Lord Guthrie held that where the 1845 Act had stated the Board could pass Minutes affecting the "amount of relief", it was in his view equivalent to covering any "relief" offered.

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1. The Minute was issued on 10/3/08

Some months later the case was heard again. This time with Inverkeillor disputing the Board's and Carmyllie's decision to grant outdoor relief. Mrs Cuthill's legal agents argued that the poorhouse offer was tantamount to testing her ability to "endure privation". She would never accept the offer, preferring to live on the son's earnings and whatever meagre amounts her other children could provide. Moreover they argued that the "adequacy" of relief ought to be judged by its "suitableness", not its amount. In essence, what they were suggesting was that times had altered and that moral and legal responsibilities had to be tempered by changes in relative standards of living. Much broader considerations of "needful sustentation" could be subsumed under a new concept of "suitability". Offering the poorhouse to a claimant who was neither sick nor a casual labourer represented the worst aspects of discriminatory relief. The Court agreed, with one of the judges stating that, "the offer of the poorhouse would amount to a harsh administration of the Poor Law, and be contrary to the public interest". What had been adequate in the past could not be regarded as sufficient in 1909. The Court of Session, a few months after the publication of the Poor Law Commission's Reports had effectively revoked the legitimacy of the poorhouse "test". In future parishes would have to pursue a family's legal and moral obligation in some other manner.

It was not long before the Court reviewed this obligation through one of the first Board of Health determinations. In 1918, Mr Brown's wife became mentally ill and was removed to an asylum by Sorn Parish<sup>(1)</sup>. He had four children, two of whom earned

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1. PLM, 1919, p 400. "Sorn PC v Mauchline PC"



£1/13/9d a week. His own wages came to £2/7/6d. Although an able-bodied man's family could legally receive asylum treatment, it was means tested and Mauchline, the parish of settlement objected to Mrs Brown receiving Poor Relief. It felt that with an income over £200 per annum the family ought to be able to afford the full £40 of asylum care. To support its arguments, Mauchline quoted 19th Century decisions which had stated a smaller sum was sufficient to prevent a person claiming treatment from the Poor Law.

The Board backed Sorn. It argued that with wartime inflation eroding the real value of earnings and the father maintaining a daughter who acted as a housekeeper, only a proportion of the costs should be paid. Thus the Board had acknowledged that material circumstances had altered and families required a greater proportion of their income for their own needs.

These two decisions, taken with those extending able-bodied entitlement had demonstrated that the legal system could be responsive to the electorate's belief that material progress ought to be shared amongst the less fortunate. It was possible for a court centred system of social justice to force radical changes in philosophy and practice.

Almost as soon as the Mauchline judgement had been given however, the judiciary began to return to conservative interpretations on entitlement. As the judge in the Glasgow v Rutherglen case was to state, a large number of decisions since 1900, particularly in able-bodied entitlement, had unsettled the "everyday footrule" of inspectors of poor and parishes. There were now too many

inconsistencies for a court-centred system to accept with comfort. Thus in early 1921, the Court of Session refused to allow relief to the young child of a widower, whose earnings because of his poor health were below the local scale of relief<sup>(1)</sup>. Three years later the Court of Session was again in action<sup>(2)</sup>. This time it ruled that a Mr Darrie, an unemployed farm labourer with one arm, and a family to support was not a proper object of relief under the 1845 Act. He could only receive Poor Relief under the 1921 Act. Lord Alness argued that,

"The test is not, Has a man lost an arm or a leg? It is rather, Can he earn a living? That is the test which can easily and conclusively applied. If one drifts from these safe moorings one is at once submerged in a sea of perplexities and difficulties".

Two other of the judges agreed but Lord Hunter, the fourth, did not. To him it was important to recognise that the depressed state of trade effectively prevented Mr Darrie from competing equally in the labour market and obtaining regular employment. So long as this condition remained, he would never be able to fully maintain his family.

A few months later the Glasgow v Rutherglen judgement occurred which barred an inspector of poor from providing interim relief to a deserted wife whose husband's address was known. This cycle of judgements was completed with Lord Constable's decision in the 1926 Dalziel v Colville case preventing relief to

1. *ibid.*, 1921, p "MacPherson v Kilmore and Kilbride PC
2. *ibid.*, 1924, p 238. "Melrose PC v Gordon PC"

strikers' dependents. With these decisions the Court had narrowed both a parish's power of discretion and the Board's own ability to elaborate new categories for assistance. By the early thirties it was forced to employ some very odd precedents to permit what it saw as appropriate relief<sup>(1)</sup>.

The 1920's had therefore witnessed a period of retrenchment in the way the Court interpreted the Poor Law. The Board's determinations, the Poor Law inquiries, the growth of new forms of welfare and the 1921 Act all created uncertainty amongst many Poor Law administrators on the precise meaning of "needful sustentation" and the means test. Even the inspectors of poor which had agreed in 1920 that the only condition for Poor Relief ought to be "necessity" had found it hard to reconcile themselves with its wholehearted application. *Glasgow v Rutherglen* had been a test case generated largely by the inspectorates' own concern for the legality of their actions. The majority of them although agreeing to disburse strikers' relief in 1926, remained unsure about its propriety. Clawing back the frontiers of legality reflected their wider concern on the need to maintain order within Poor Law administration. In part this no doubt reflected the political control of the Poor Law. The electorate also remained uncertain about the developments in the years before 1922. They

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1. for instance, *Scots Law Times*, 1932, p 10, "*Lesmahagow PC v Campsie PC*", p 23; "*Maryculter PC v Turiff PC*", 19-3, p 4; "*Edinburgh TC v East Lothian CC*", 1934, p 18; "*Glasgow PC v Dumfries CC*"



consistently refused to support Labour's more expansive policies and in consequence the Party never controlled more than a dozen parishes in the 1920's<sup>(1)</sup>.

The electorate and claimants were however not necessarily of the same opinion and by the beginning of the thirties, the Department was finding more of the latter pursuing appeals both through them and the Sheriff<sup>(2)</sup>. Claimants were beginning to resent the financial restrictions that many parishes had placed on improving relief. In the early thirties there were two significant cases initiated by claimants which did significantly alter practice and help reshape policy. The first occurred in early 1932:

Mr Stephens, an unemployed disabled war veteran applied to Edinburgh for relief under the 1845 Act<sup>(3)</sup>. The Council quickly granted him relief. However his parish of settlement, Caithness, soon objected, arguing that he was able-bodied and therefore only eligible for relief at a lower level under the 1921 Act. Sheriff Brown of the Lothians disagreed. Questioning the validity of the Darrie decision, he declared that Mr Stephens although capable of doing some sedentary work in a poppy factory could never fully support himself. He was therefore both destitute and

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1. for instance, see the Glasgow Herald's report of the 1925 elections, 1/12/25, "Good Government League's List of Moderate Candidates", 12/12/25, "Catholics and Poor Law Reform", 19/5/25, "Mr Wheatley and Parish Council Elections"; Brown, op.cit., concludes that Labour's essential weakness compared with the Conservative's was in the electorates eyes, one of not having a credible manifesto.
  2. The Annual Report of the Department of Health, 1929, p 176
  3. Scots Law Times., 1933, p 9. "Stephens v Edinburgh TC and Caithness CC" on 23/2/32

disabled.

A year later, and somewhat more sensationally, the same Sheriff virtually destroyed the moral obligation of collateral relatives to support each other<sup>(1)</sup>. Mr Clark, a young man disabled by physical infirmity from working, lived with his widowed mother, uncle and brother in the mining village of Newbattle. He applied for relief from his local public assistance officer, stating his mother had a pension of 10/- a week and his brother and uncle contributed 53/- to the household budget for board and lodgings. The Officer refused relief and Mr Clark applied for a sheriff's order. The Sheriff-substitute also refused, stating,

"It is no doubt true that neither the appellant's brother nor his uncle is legally liable to support him, but the mother controls the finances of the household".

There was in his view enough left over from their contribution for Mr Clark's support without Poor Relief. On appeal, Sheriff Brown disagreed. The mother was the only person legally liable and her income was 10/- a week pension. The collateral relatives' contribution was a separate account and one the mother fully used to supply board and lodgings.

Thus the Court had shown it could move in both directions. In a period of expanding social welfare when new philosophies were

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1. *Ibid.*, p 14 and 77. "Clark v the Public Assistance Officer of the District of Newbattle" on 8/3/33; for Midlothian's policy on relief see CCM 23/7/30, 22/10/30 and 4/3/31

being discussed, it had recognised that the legal basis of poverty ought to be redefined. However that was followed by a period of retrenchment. The early 1930's had seen that process being reversed and the Court continuing the process established in the 1900's.

On balance it cannot be said the Court failed to acknowledge the sentiments of the 1909 Report, but what it had found was that there existed<sup>a</sup> considerable number of Poor Law administrators who resented the overturning of established legal principles. For a Department of Health that had seen its own plans for improving the health of the nation truncated by both economic depression and local government intransigence the continuance of a Court centred system which often made decisions at variance with its own determinations had ceased to be an efficient method of meeting welfare need. It was not the case that the Court could not be progressive or active in promoting a new definition of poverty, it was simply a system that was unpredictable. These aspects of the utility of a Court centred system, the concept of "needful sustentation" and the means test could now enter into a much fuller review. The 1933 Poor Law Bill provided that review.

Rarely has any Scottish Bill undergone such a transformation and such a lengthy debate in its Parliamentary progress. It made its first appearance in November 1933 and required fifteen days work in the Standing Committee on Scottish Bills before it reached its final reading in July the following year. The original Bill reflected the Department's desire for closer control over local authority action and the need to "recondition



and discipline" certain types of Poor Law claimant<sup>(1)</sup>. It not only gave the Department power to regulate poorhouse management, the boarding-out of children and the conduct of local government officers, but it also proposed draconian powers of detention for the poorhouse "in and out", the refractory inmate and the "physically incapacitated" aged who required constant medical attention. The law of settlement was also to be abolished.

The Association of County Councils and the Convention of Royal Burghs soon raised objections<sup>(2)</sup>. The counties were appalled at the thought of the law of settlement's abolition. They feared city claimants migrating to their areas. The burghs disliked the increase in Departmental "rule and regulation". Their right to independent action would be limited. The proposal to have statutory disregards for sickness benefit was in their view a direct contravention of established Poor Law principles. The fact that this would have brought the Poor Law into line with Transitional Payments was to them of little relevance.

Noel Skelton agreed to withdraw the Bill and establish a

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1. The Poor Law (Scotland) Bill, 1933. Introduced, 16/11/33; PRO CAB 27/552. Unemployment Insurance Committee 33(3).  
"Memorandum by the Secretary of State for Scotland on proposed Poor Law Legislation", 27/4/33
  2. SRO CO.1 4/234. Report of the Deputation appointed by the Association to meet N. Skelton on 2/2/34; Letter of the Association to the Department of Health, 23/2/34; Memorandum by the Convention of Royal Burghs on the Amending Bill, February 1934; see also PRO Cabinet Meeting No 4 of 1934 on 7/2/34

Departmental Committee to review the law of settlement and the existing common law practice. However the need for an interim measure still remained. Both the new English and Unemployment Assistance Acts would have meant the Poor Law in Scotland lagging behind in comparable provision. A new Bill was introduced without any reference to settlement<sup>(1)</sup>.

Unfortunately for Skelton who introduced it into the Commons, the Bill had not taken into account either the changes in public attitudes towards poverty or acknowledged the poor had well established legal rights<sup>(2)</sup>. In less than an hour of Skelton sitting down it was torn apart by an all-party alliance of back-benchers. A Labour MP Neil MacLean began the attack. The proposal to set the able-bodied to work was against the whole ethos of Scottish Poor Law practice. A National Liberal, J. MacPherson felt the detention powers implied "poverty was a disgrace". However it was left to a Conservative member, C. Milne (West Fife) to effectively wreck the Bill's prospects. He told Skelton that,

"We Scotsmen are heirs of the Roman law, and, accustomed as we are to the urbanity of a more civilised code, [than England], those expressions [the Bills clauses] are somewhat disconcerting".

Six other Government supporters also raised objections. So taken aback was the Lord Advocate, W. Normand that he stated he

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1. The Poor Law (Scotland) Bill, 1934. Introduced 8/2/34
  2. Hansard, Vol 287, 27/3/34, pp 1829-1916. Second Reading

would "welcome any effective and more humane suggestions".

Thus the debate between the Poor Law Commission's Reports had been brought to a head. Some method to weave a path between overt Government control and discriminatory relief was necessary.

Increasing the powers of Central Government at that time would not in the opinion of many have necessarily led to a more humane and expansive system. The Left feared the perpetuation of a means tested system that stigmatised the poor, while the Right feared the steady encroachment of Government on the transactions of everyday life. An independent judiciary and a continuance of local government autonomy was still regarded as a better guarantee of the rights of the poor than civil servants answerable to no-one other than their section head.

The eventual Act balanced these perspectives. It greatly strengthened the legal rights of the poor by enabling them to appeal more effectively against the refusal and the inadequacy of relief<sup>(1)</sup>. Both the unemployed and the ordinary poor shared the same rights and the Department was allowed power to ensure that inadequate relief was mitigated by an immediate order determining the amount of relief. The more punitive clauses of the Bill were either abandoned or watered down. To complete the Act, those in receipt not just of sickness benefit but disability

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1. *ibid.*, Vol 291, 5/7/34, pp 2087-2200. Committee Stage and Third Reading; see also the Proceedings of the Standing Committee on Scottish Bills 1933-34. (PP 1934 Vol VIII) and PRO. CAB 24/249. Cabinet Paper no 155. Memorandum by Secretary of State for Scotland on Treatment of Disability Pensions", 8/6/34 and Cabinet Meeting no 24 of 1934 on 13/6/34; The Poor Law (Scotland) Act, 1934. (Ch 52). (24 & 25 Geo. 5)



benefit could retain a part of it without deduction.

The Department was pleased with the result. It reported that the policy of the Act embodied a new philosophy,

"to secure that the interests of the poor receive paramount consideration and that the administration is carried out sympathetically". (1)

The philosophy was soon tested. Two Court cases, one in 1934 and the other in 1936 illustrated that even if the Court was both progressive and humane, the other side of the equation, the attachment of many administrators to traditional philosophy meant little prospect of a new consensus on practice emerging.

The first case, *Wilson v Mannern*, in 1934, affected the right of a claimant to pursue a political aim of improving their condition<sup>(2)</sup>.

Walter Mannern, an unemployed Lumphinans miner decided to go on a hunger march to London. He told his wife where he was going and what route he was taking. Any money he had he left with her.

As he was not available for work the Labour exchange cancelled his unemployment benefit. When he left his wife applied for Poor Relief from Fife County Council. The local public assistance officer, a Mr Wilson, after hearing that benefit had been stopped promptly issued a writ for his failure to maintain. The Council approved his action<sup>(3)</sup>. The local sheriff refused the Council's pleas. Mr Mannern was not guilty of desertion. The Court of

1. Annual Report of the Department of Health, 1934. Cmnd 4837 PP 1935 Vol IX), p 130. A full review of the Act can be found in Chapter XIII
2. Scots Law Times (Poor Law Reports) 1934, p 21
3. Fife CCM, 2/2/34. The vote was 11-10 to prosecute

session also agreed. Lord Blackburn argued that the critical question was "whether or not he was 'able to do so' at a time when he failed to do so". He considered that because he had little prospect of finding employment and was on public funds he was not able to independently maintain his family. Lord Morison was equally of the same opinion. He concluded that there was no illegal conduct because to go on a hunger march with the object of making representations to the Government "was a lawful purpose". The Poor Law could not be used to politically disenfranchise a claimant.

The second case, that of Duncan v Aberdeen County Council, was in fact a test case brought before the Court because there had been so much confusion amongst local authorities on the question of deducting disability and other payments from Poor Relief<sup>(1)</sup>. It took one Sheriff, three members of the Court of Session and five members of the House of Lords to conclude that no matter how carefully worded Statutes are or how clearly sentiments of an Act are expressed, where there are independent institutions involved in disbursing welfare, there will always be disputes over philosophy and practice.

Harry Duncan, an unemployed cabinet maker, who had lost his right leg during the First World War received a £2 maximum disability pension. On this he supported a wife and five children.

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1. Scots Law Times (Poor Law Report) 1936, p 4 and p 17; see also the Annual Report of the Department of Health, 1935. Cmd 5123 (PP 1935-6 Vol XI) p 147 and 1936. Cmd 5407 (PP 1936-7 Vol XI) p 129.

A few days after the 1934 Act came into operation he applied for Poor Relief, believing that the maximum disregard under the Act, £1 would entitle him to some assistance. Aberdeen County took a different view. It believed the Act was never meant to widen the scope of those legally considered poor. Any applicant would have to have an income below a local authority's needs level before they could be assisted. With an income of £2, one leg, a wife and seven children to support, Harry Duncan was over their scale / rates. Thus the case was essentially one about the meaning of poverty.

The first judgement, the Sheriff's went in favour of Mr Duncan, but the second, the Court of Session's, by a majority of two to one went in favour of Aberdeen County. Lords Morison and Normand felt there was a distinction between deciding whether a person was poor and eligible for relief and that of the "quantum" of relief. Nothing in the Act entailed extending the class of "pauperism" and an applicant's income from all sources would have to fall below a local authority's needs line before being assisted.

The judgement did not accord with that of the Department of Health and a further appeal, backed by their Minute was taken to the House of Lords. The Lords reversed the interlocutor of the Court of Session and restored the Sheriff's decision. Lord Thankerton was the most forceful of the five Lords, expressing the view that, "public opinion had long been modifying the conception of a social stigma in the receipt of Poor Relief" and that in his opinion the 1934 Act,

"alters not only the standard of adequacy of outdoor relief, but also the standards of poverty which is to give the legal right to that form of relief".



"Needful sustentation" and the means test had taken on a new meaning. New needs, in this case the extra cost of being disabled, had been acknowledged as of legitimate concern for a means-tested service. However those needs could not be implemented by any discriminatory practice. They had to be seen in terms of broad categories of assistance which detached the act of providing from the personal ideology of the administrator. Although poverty was not a disgrace it ought to be hidden behind established and clearly observable rules and regulation of practice. In that way the administrator's power would be reduced and the claimant's increased.

Both cases illustrate that, despite Departmental wishes, the old attitudes of Poor Law administrators remained. Few could now insist that a system of legal rights to welfare based on local administration would be instrumental in expanding the concept of welfare. Adaptability, broadening the categories of assistance and the quick implementation of new legislation were not its hallmarks. It had become a hindrance, not a protector of the poor. Indeed as the Mannern case had shown, administrators were still prepared to use all the punitive powers within the Poor Law to implement a particular philosophy. The case was no freak. In Glasgow alone, 3,000 claimants a year were prosecuted for a variety of Poor Law offences and over 500 eventually ended up in prison<sup>(1)</sup>.

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1. abstracted from the Annual Reports of Glasgow Corporation Public Assistance Committee, see also "The Report by the Criminal Officer on Wife Desertion and Committal Orders, 1938", Glasgow Corporation Special Print (1938)

The Departmental Committee established to consider the question of settlement and the codifying of the existing common laws, although not recommending the abolition of the existing system made it clear that further work was necessary to consider the whole future of a Poor Law system of welfare<sup>(1)</sup>. The Department in its review of the Committee's work was more forceful. There had been a qualitative alteration in public attitude towards poverty and the treatment of the poor. In discussing the prospect of future reform they concluded by stating that,

"Experience has shown the risks run when Poor Law proposals are submitted if they do not promote the interests of the poor". (2)

In crude terms the Department had recognised that the Poor Law's legitimacy in meeting need had evaporated. The alternative, a system which hid poverty behind the rules and regulations of broad categories of assistance and administered by Central Government looked increasingly attractive. Two days after the war broke out all plans for the piecemeal reform of the Poor Law were shelved.

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1. Report of the Departmental Committee on the Poor Law (Scotland), 1937-8 Cmnd 5803 (PP 1937-8 Vol XIV); SRO HH 61/105 "Poor Law Enquiry Minutes of Meetings".
  2. ibid., 61/101. "Office Committee to consider Report". Minute of 18/11/38

## CHAPTER NINE

### CONCLUSION

By the beginning of the Second World War the philosophy and practice of Scottish Social Welfare had changed considerably. Yet there remained many unresolved elements. National interests sat uneasily with local control, the administrative regulation of poverty remained at odds with the spirit of legalism and the development of a "positive" right to welfare stood in contradication to a popular understanding of the Poor Law's historical legacy. To understand the derivation of these tensions and hence to appreciate the kinds of difficulties that war-time administrators faced in formulating policy, it is important to recognise two particular aspects of early 20th century Scotland. Firstly, there was the existing philosophy of welfare with its heavy emphasis on minimal State interference in society's "productive" forces. Thus, although a legal right to welfare had been accepted as necessary to maintain order and secure working class expectations about Capitalism's proficiency, the middle classes had developed an institutional framework strongly orientated towards voluntary care. Secondly, there was the way in which class and material interests had become articulated in an enfranchised society, one whose economy was undergoing a profound structural transformation. It was the fusion of these two elements, class interests and institutional framework that led to the period before 1914 witnessing one of the most intense debates about welfare since the attack on the Old Poor Law in the 1840's.



However the debate had initially been sparked off, not by any working class protest or agitation, but by a concern of "property conscious" Poor Law administrators that their strategy to reduce "pauperism" had failed. The fear that large sections of the working class had not been able to respond to the obvious advantages of a laissez-faire economy dominated their thoughts and actions. It was only later with the continued deterioration

of both the urban labour market and health care standards that other groups, most notably medically trained administrators and independent working class representatives, began to raise doubts over the ability of the existing practice to generate and sustain material well-being. In consequence, "reformist" Poor Law administrators found that their rather individualistic interpretation of social ills and their policy of active, but discriminatory intervention was in conflict with the demands for a less stigmatising and more humanistic form of welfare. Without such a change in policy the more radical and Liberal administrator sensed that working class support for a free, Capitalist society would evaporate. If that occurred, there was, they felt, a real prospect of a more serious breakdown in public order.

Thus the debate before 1914 essentially centered on not only how far the State should intervene to guarantee material well-being, but on what condition, in what way it could determine the mode of conduct for those being assisted. Yet for three reasons the period did not see any wholesale Poor Law reform. Firstly, the existing form of welfare continued to retain considerable ideological support. With voluntary hospitals and other charities still capable of undertaking large scale investment, property owners remained wary of a philosophy which stressed rate supported

welfare. Secondly, before 1906, the radical administrator and Labour representative were not sufficiently powerful or numerous to carry through their policies. Only after that date with Sinclair's appointment as Scottish Secretary and the election of greater numbers of Labour councillors was the "reformist" programme put to a more serious test. Thirdly, the intellectual elaboration of an alternative model that would remove the enfranchised worker from a position of "moral" dependency had not been sufficiently developed. Elements of middle class "reformism" still permeated much of the discussion. Traditional philosophy and practice had therefore been severely weakened, but no electorally credible alternative had emerged.

It was therefore left to the inter-war period to resolve the issue and decide the future format of welfare. In this, three particular factors dominated the discussions and the debates. Firstly, with the virtual collapse of the traditional industries of coal, steel and shipbuilding, Scotland's material progress, in comparison with England's, began to falter. Unemployment was higher, wages lower, particularly for the unskilled, housing poorer and deaths through childbirth far more prevalent<sup>(1)</sup>. By the mid-thirties, it was estimated that Scotland had twice England's level of poverty<sup>(2)</sup>. All of this had two important effects. On the one hand it meant there was a sharper and more acute sense of deprivation by those

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1. SRO DD 10/292 "The State of Scotland" by W. Elliot, November 1937; for a more detached perspective, see J. A. Bowie, The Future of Scotland, (Glasgow, 1939)
  2. Report on Infant Mortality in Scotland. Department of Health. (1943) 20% of the population received 10/- or less per head per week, compared with 10% in England

who were on the edge of poverty; the only future they had was a life on State benefits. On the other hand, with the fluctuations in workers' subscriptions and the stagnation in middle class contributions to voluntary hospitals, the marginal resources available to expand medical care declined. In a popular democracy, neither deepening poverty nor a deteriorating institutional framework was conducive to the advancement of a property-owning democracy; it was the antithesis of 19th Century laissez-faire philosophy, economic progress matched by "voluntaristic" social development.

Secondly, the 1920's witnessed the formal incorporation of the working classes into the structure of Government. After the dramatic general and parish elections of 1922, the Lennox Herald, like other local newspapers, noted with some surprise that there had not been just a switch of party allegiances, but a revolution in attitude towards the prevailing system of industrial Capitalism<sup>(1)</sup>. That meant the Labour Party would have many more councillors, control larger numbers of parish authorities and possibly form a National administration.

Thirdly, with the successful overtuning of the Poor Law's legitimacy came the emergence of a more assertive National administration, one which believed the State had a duty to promote the material well-being of society. Indeed in 1919 this formed the cornerstone of

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1. Lennox Herald, 18/11/22 Leader



the Board of Health's constitution. The methods they subsequently evolved based on regulation rather than adjudication and their perspective on "positively" developing human capacities began to alter their position of supporting Capital over Labour. Thus by 1936 the Department felt that in regulating Scotland's "social and economic affairs" its work was no more than a reflection of "popular" demands for greater State intervention<sup>(1)</sup>.

These three factors, therefore, Scotland's relative material deprivation, the incorporation of working-class representatives into Government and the extension of National control all stood uneasily with the continuation of 19th Century practices. In particular, the failure of the voluntary movement to maintain a hospital service, the inability of local authorities to infuse their welfare services with a philosophy of non-discriminatory care and the expanding nature of material needs to be met, meant that there was bound to be considerable pressure on the Government to take the initiative in formulating new welfare policy.

The first occasion when this was dramatically demonstrated was in 1921. Faced with mounting unemployment, and the prospect of widespread street disorder, the Government, once it had decided against shouldering the whole burden of relief itself, rapidly urged parish councils to break the law and assist the unemployed. A year later, after the 1922 elections, with the industrial

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1. SRO HH 45/64 "Memorandum by the Permanent Under Secretary of State for Scotland", November 1936. (J. Jeffrey) to the Gilmour Committee on Scottish Administration; note also the comment by R. N. Duke, Principal Assistant Secretary at the Scottish Office, on 31/11/35 for the history of the administrative re-arrangements within the Scottish Office, HH 45/61 and evidence to Committee on 2/12/36 and 12/4/37, 45/61 and 54; see also the conclusion of the Departmental Committee on Scottish Administration, Cmd 5563 (PP 1937 Vol XV) and the comments by T. Johnston, Memories, (Glasgow, 1952)

situation showing little indication of a return to full employment it was forced to concede that intervention would not be a short term affair. Acknowledging that "workless men" would "either receive assistance or starve", it was agreed that the Board's major function was to be the alleviation of unemployment<sup>(1)</sup>. Thus, although the Conservative administration professed a belief in promoting a property owning democracy, the realities of securing working class support meant a much softer approach to their immediate interests was necessary.

The difficulties the Conservatives faced in maintaining both their ideology and electoral support was graphically illustrated by the events surrounding the 1926 miners' strike. Here they found the logic of promoting property ownership sharply at odds with the immediacies of preserving order. Whether or not there was collusion with the Court over delaying a decision is now a moot point, but there can be little doubt of the Opposition's amazement at the Government's willingness, despite the anger of many parish councils, to enforce its Circular on relief to miners' dependents. Although Labour voted against the 1927 Bill, Wheatley was sufficiently impressed by the Government's record to congratulate it for both acknowledging a new welfare principle and preventing a breakdown of local government<sup>(2)</sup>.

The Conservatives apparent willingness to promote new forms of welfare

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1. SRO AF 43/203 Letter of Scottish Office to Board of Agriculture, 10/1/23
2. Hansard, Vol 203, 22/2/27, pp 1661-2

was underlined during the 1934 Poor Law Bill debates. At a time when Labour were reduced to a handful of Scottish M.P.s, the Government found its proposals being destroyed by the troubled conscience of its own backbenchers. Worried about the continued deprivation of so many, they sought a policy which would emphasise a humanistic approach to the disbursement of relief. Again Labour were dumbfounded, Neil MacLean (Govan) actually thanking Skelton for the "toleration" he had shown to Labour's successful amendments<sup>(1)</sup>.

Just as dramatic was Collin's refusal to adopt a hard attitude towards Labour's policy of restoring the cuts. Although it is not known how he felt about the establishment of the Greenock Court of Inquiry, there seems little doubt that he used Labour's attack on traditional principles both to substantiate his claims for an improvement in benefits and to defeat a hardline "property conscious" element within the Conservative establishment. The Greenock Hospital affair only served to underline the shift in Conservative philosophy and the predicament they faced. In their view improved health care standards could only come through collectivised welfare, yet local property owners, their "natural" supporters continued to remain attached to the utility of the old institutional framework.

However, it should not be assumed that there was a radical and

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1. *ibid.*, Vol 291, 5/7/34, p 2186



consistent set of demands being presented by Labour. Whatever the action of more militant Councillors and despite Maxton's notorious 1923 Commons speech, the Parliamentary Party emerged from the 1920's in a moderate, but somewhat confused state of mind over the future direction of welfare<sup>(1)</sup>. For instance at the end of 1922, the Board was surprised to find Maxton, an ex-Glasgow Education Authority Councillor declaring the restrictions on Scottish Educational welfare to be a "purely local affair"<sup>(2)</sup>. Far from demanding a Commons debate on the matter Maxton indicated he wished to proceed through Scottish Administrative channels. A year later, when there was a potato famine in the Western Highlands, Labour M.P.s again demonstrated a willingness to follow the consensual line<sup>(3)</sup>. Adamson, when he entered Office in early January 1924, was quite content to use Lord Novar's plans to import foodstuffs as the basis of his own policy. Indeed the Board itself considered his and Stewart's activities during the first Labour Government were not more than a mixture of moderation and humanitarianism<sup>(4)</sup>. Although on the surface all these activities together with Maxton's evidence to the 1926 Hospital Committee reflected Labour's desire to capture the middle ground of Scottish politics, they did indicate a much deeper difficulty, an ambivalence over the future means to distribute welfare in a Socialist State. This was most forcefully illustrated with the 1929 Local Government Bill.

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1. *ibid.*, Vol 165 27/6/23, p 2382. Maxton after cutbacks in child welfare expenditure called the Government "murderers", see J. MacNair, James Maxton. (Glasgow, 1955) Chapter 13. Note also the comments by Brown, *op.cit.*, on the attitude of Maxton and other I.L.P. M.P.s to the incorporation of the Party into Government, their disengagement from Labour, and their slide into political oblivion
  2. SRO ED 7/7/7, Minute of 22/11/22
  3. *ibid.*, 7/7/6 "Distress in the Western Isles"; AF 43/193-307, 62/1960-80, 67/378-388
  4. *ibid.*, HH 45/54 "Activities of Scottish Departments since Advent of Labour Government" and AF 43/222 "Departmental Work since Advent of Labour Government"

During the Second Reading, one of their M.P.s. W. M. Watson, described the proposed destruction of parish councils as "undermining" the essential nature of Scottish democracy<sup>(1)</sup>. To Labour cheers, he added, the whole Bill was "alien to the Scottish character". Tom Johnston went further and suggested that the prospect of a greater local welfare bureaucracy would actually inhibit the meeting of real working class needs<sup>(2)</sup>. Yet almost in the same breath, he and other Labour M.P.s castigated the Government for not introducing clauses that would make rate-aided hospital development mandatory. At the end of the twenties Labour had singularly failed to resolve one of the fundamental dilemmas within Adamson's 1919 address to Poor Law administrators, the choice between preserving democratic accountability at the local level and promoting a more efficient and centralised welfare programme. Indeed in the 1930's when the Department attempted to introduce municipal hospitals, it remained an issue that Labour found difficult to resolve. Many Labour held authorities, rather than accept the implications of a nationally directed collectivism, preferred to promote the principles of local government autonomy, even if it did mean a loss of material well-being.

Both main parties had therefore encountered some difficulty in developing an electorally credible policy, the Conservatives unsure about incorporating working class interests, and Labour ambivalent about the nature of central control. In consequence,

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1. Hansard, Vol 223, 3/12/28, pp 896-903

2. ibid., pp 874-5, 877-96



resolving one of the essential elements within the pre-1914 debates, the nature of the State's relationship to the recipient of welfare, could not be exhaustively reviewed. Yet in a popular democracy which was demanding greater State intervention to guarantee material well-being, these were issues that could not be conveniently forgotten. Thus in late 1937, Elliot alarmed at the prospect of the Conservatives losing their electoral majority, urged his Cabinet colleagues to develop new interventionist policies that would reorganise the welfare system and help mitigate the worst effect of Scotland's bad health and housing<sup>(1)</sup>. For their part Labour began to accept that the issue of meeting need was electorally far more vital than any socialist concern for accountability and autonomy<sup>(2)</sup>.

This apparent convergence of perspectives was underlined by the conclusions of the 1938 Inter-Departmental Committee on the Poor Law. Many public assistance committees it argued, had experienced difficulty in incorporating new statutory duties within their existing administrative practice. Although the 1934 Act had obliged them to develop retraining programmes for the "residuum" of unemployed, few had done so. The opportunity to reorganise and expand their Children's Department after the 1930 Adoption Act, which named the inspector of poor as the child's interim guardian, and the 1932 Children and Young Persons Act, which increased the age of child protection to nine, was almost uniformly

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1. SRO DD 10/292, op.cit

2. Interim Report of the Labour Party Committee of Inquiry into Distressed Areas, Labour and the Distressed Areas. (London, 1937)



ignored<sup>(1)</sup>. Added to this, an increasing number of sick and disabled men were applying for relief, either because sickness benefit had run out, or because it was inadequate for their family needs<sup>(2)</sup>. The same applied to widows and pensioners. It all seemed too much for one local authority department.

By the beginning of the War, National administrators in particular, had come to accept that the lessons of the thirties, the material deprivation of so many, the failure to remove the "taint of pauperism" and the lack of local authority co-ordination indicated that a radical shift of perspectives was imperative. If working class interests were to be guaranteed, the economy regenerated and public order maintained, meeting welfare needs through the introduction of a more "humanistic" ethic of care, a redistribution of resources and direct central control had become a necessity. Thus in 1941, the Determination of Needs Act, at the same time as abolishing the family means test, transferred the majority of widows and pensioners from the Poor Law to a nationally operated Assistance Board. A year later the Beveridge Report's recommendations effectively removed the local authority from the sphere of providing monetary assistance. The following Spring, Johnston secured the approval of his Secretary of State's Committee to ensure the continuance of the State as a third party in hospital provision. But that still left local authorities with the need to provide

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1. The Adoption of Children (Scotland) Act. Ch. 37 (20 and 21 Geo. V. 1930); The Children and Young Persons (Scotland) Act. Ch 12. (22 and 23 Geo. V. 1932)
  2. the best breakdowns of this trend can be found in Fife CCM, "Annual Report of the Chief Public Assistance Officer, 1936-7" (1937) and Glasgow City Council Special Prints, "Annual Report of the Public Assistance Committee, 1937" (1937) pp 45-6

domiciliary and institutional support for a variety of other groups, including the elderly, children and the disabled. Thus with Press concern about the condition of children under Poor Law care, the Government in 1945 established a Committee on Homeless Children to provide a comprehensive review of existing practice and suggest a framework for the continued involvement of local authorities in the meeting of need<sup>(1)</sup>.

After hearing contradictory evidence from local authorities and voluntary agencies on the benefits of the existing system and from the Department on the inadequacies of existing central control, the Committee began their own surveys. Almost immediately Glasgow's policy of fostering in the Highlands came under severe criticism. The Committee member responsible for the investigation felt that the children were often under the care of mothers who lacked even the most rudimentary knowledge of hygiene and personal care<sup>(2)</sup>. Another equally condemnatory survey was reported of the Catholic Orphanage at Smyllum, Lanark. There the member felt the untrained staff ran a very "dismal" and "spartan" institution. In consequence there was little or no "freedom" for the child's character to develop.

These and other Reports led to one conclusion, that the existing form of care under a single local authority department and staffed largely by untrained workers was incapable of generating a more

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1. Report of the Committee on Homeless Children. Cmd 6911 (PP 1946 Vol XII)
  2. SRO ED 11/168 "Report of Visits to Homes". Other evidence and deliberations contained within 155-276

expansive and individually orientated form of welfare practice. To them only a highly specialised and integrated child service, which put care before the concept of legalism, could further the promotion of need. In this way the dangers of discrimination and disinterest which had befallen many under the Poor Law's control would be averted. In any prospective legislation the complete removal of the Poor Law's "taint" was therefore an immediate priority.

The direction of legislation and the type of practice within any new social service was quickly indicated by the Department's Permanent Secretary. To a conference of local authorities in mid-1946, he stated that, like the Department, they would have to develop a wider service than one meeting purely material or "disablement" needs<sup>(1)</sup>. Moreover the conduct of officials would have to be on a different footing, one that did not imply disenfranchisement, moral stigma or punitive treatment. Instead officials would have to generate and sustain a client belief that they were no more than a "helping hand" to overcome the difficulties of family life in a more complex, and mature society.

Some thirty-seven years after the Poor Law Report a formula for basing social welfare on the promotion of individual needs without recourse to guilt or shame had been elaborated. A balance between promoting the "rights" of individuals within a more advanced

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1. Glasgow TCM, 29/7/46. A later meeting on 4/10/46 with the Secretary of State, J. Westwood, confirmed the direction of change



Industrial society, guaranteeing working class interests and ensuring the maintenance of public order had been struck. Whether or not it was one that could last belongs to another and later Chapter in the evolution of Scottish social welfare.

### APPENDICES

A Number of tables here have been compiled from a variety of sources.  
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APPENDIX 2AVoluntary Hospitals; Establishment, Admission Procedure, Number of  
Beds and Number of Paybeds in 1938.

	<u>Date</u>	<u>Admis- sions</u>	<u>No of Beds in 1938</u>	<u>No of Paybeds in 1938</u>
<u>a) Royal Infirmaries</u>				
Edinburgh	1729	F	1161	N
Aberdeen	1739	S	504	N
Dumfries	1776	S	170	N
Montrose	1782	S	55	N
Paisley	1784	S	220	N
Glasgow	1794	S	934	N
Dundee	1798	S	449	N
Inverness	1824	S/P	205	21
Perth	1830	S/P	249	43
Greenock	1865	S/P	258	22
Stirling	1874	S	120	N
Falkirk	1889	S/P	204	19
<u>b) Other Royal Hospitals</u>				
Edinburgh Maternity	1791	F/P	140	34
Glasgow Maternity	1834	F	175	N
Edinburgh Sick Childrens	1860	F	136	N
Edinburgh Incurables	1875	S	210	N
Aberdeen Sick Childrens	1877	nk	150	N
Glasgow Sick Childrens	1882	S	288	N
Glasgow Samaritans	1886	S/P	185	30
Glasgow Cancer	1890	F	72	N
Edinburgh Victoria	1894	F	76	N
Dundee Incurables	nk	nk	52	N
<u>c) Other Major Hospitals</u>				
Glasgow Eye Infirmary	1824	S	113	N
Arbroath Infirmary	1843	F	93	N
Ayr Hospital	1843	S	101	10
Leith Hospital	1848	F	151	N
Kilmarnock Infirmary	1868	S/P	155	15
Edinburgh Chalmers Hospital	1864	F/P	52	26
Glasgow Ear, Nose and Throat	1872	S	88	N
Glasgow Western Infirmary	1875	S	625	N
Edinburgh Womens Hospital	1879	S/P	127	25
Glasgow Victoria Hospital	1890	S/P	460	80
Aberdeen Maternity Hospital	1893	nk	75	N
Dunfermline Hospital	1894	F	100	N
Edinburgh Deaconess Hospital	1894	F	90	N
Astley Ainslie Hospital	1923	nk	167	N
Princess Margaret Rose	1932	nk	125	N

Notes: Abbreviations. F = free, S = Subscribers line, P = pay,  
N = no paybeds, nk = not known.

.../ Contd.

Sources: The Medical Directory for Scotland. 9 Vols (London, 1852-60);  
H.C. Burdett, Pay Hospitals and Paying Wards throughout the  
World, (London, 1880), Hospitals and Asylums of the World,  
4 Vols (London, 1891-3), Hospitals and Charities, Annual  
Reports. (London, 1890-1930); Hospital Yearbook, Annual  
Reports. (London, 1931-48); The Department of Health,  
Report on the Hospital Survey of Scotland. (1946)

### Summary

Although the 18th century had witnessed the establishment of some seven Royal Infirmaries and a Royal Maternity Hospital, it was not until the second half of the 19th century that hospital development gathered momentum. By the 1890s every major town had its own Infirmary and the majority of smaller ones a cottage hospital. Further, in the four cities, the deepening investment in medicine led to more specialised institutions, from maternity to cancer care being established.

The admissions system to all these hospitals continued to follow the pattern established in the 18th century, about a third were totally free and the others dependent on the patient's status, either as a weekly subscriber or because they were connected to a more well to do subscriber. At least two thirds of the major hospitals, that is those with over fifty beds, had no provision for paybeds and some of these had charters specifically prohibiting any form of patient "fees". Thus despite some hospitals experimenting with paying annexes in the inter-war period, the tradition had become so well ingrained that by 1938 only 6% of all beds had been designated "paybeds". It was testament to the creation of a particular voluntaristic system of welfare, middle class philanthropy matched by a working class belief in receiving the "best medical treatment in the world".



APPENDIX 2BHospitals: Number of Beds and Expenditure by Group

<u>Date</u>	<u>Beds</u>	<u>Group</u>	<u>Expenditure per annum</u>
1840	2000	Voluntary	£ 50000
1890	6000	Voluntary	£250000
	4500	Poor Law	£100000
	1500	Public Health	£ 50000
	<hr/> 12000		<hr/> £400000
1914	10500	Voluntary	£500000
	6900	Poor Law	£200000
	7900	Public Health	£400000
	<hr/> 25300		<hr/> £1100000
1938	14100	Voluntary	£2000000
	5600	Poor Law	£ 400000
	15400	Public Health	£1600000
	<hr/> 35100		<hr/> £4000000

Sources: as 2A and the Annual Reports of the Board of Supervision, the Local Government Board, the Board of Health and the Department of Health; Report on the Hospital and Nursing Services in Scotland. Cmd 699 (PP 1920 Vol XXII)

Notes: beds and expenditure sums rounded as a number of the returns were based on estimates.

• Indexed Growth of Hospital Beds and Expenditure by Group, 1840-1938.

	<u>Beds</u>	<u>Group</u>	<u>Expenditure per Annum</u>
1840	33	Voluntary	20
1890	100	Voluntary	100
	100	Poor Law	100
	100	Public Health	100
	<hr/> 100		<hr/> 100
1914	175	Voluntary	175
	153	Poor Law	175
	527	Public Health	696
	<hr/> 211		<hr/> 239
1938	235	Voluntary	435
	124	Poor Law	217
	1027	Public Health	1739
	<hr/> 293		<hr/> 543

Notes: 1890 is base year. Expenditure has been adjusted for cost of living increases.

## Summary

As Appendix 2A has indicated Scottish hospital provision in 1840 was virtually non-existent. By 1890 this had completely altered. On the one hand the Voluntary Hospital had tripled their provision had increased their annual expenditure by fivefold. On the other, the Public Sector, with the 1845 Act, the 1848 Medical Grant and the 1867 Public Health Act had witnessed the extension of poorhouse hospital wards and isolation hospitals. However a divergence in care between the sectors had become evident, the cost of maintaining a bed in the Public Sector was only half that in the Voluntary. Nevertheless, during this period, both Sectors had generated around £2 million of capital expenditure. With the 1889 Local Government Act and the 1897 Public Health Act adding a further impetus to that sector, 1914 saw these trends continuing.

Both the Voluntary and Public Health sectors continued to expand after the War, with the latter receiving some beds from transferred poorhouses. Although the Voluntary sector had more than doubled its real current expenditure and had undertaken over £4½ million of major capital projects, it had not been able to meet the demand for acute and surgical care. Similarly, although the Public Sector was able to match the Voluntary Sector's increase in real current expenditure, it found that demand in many areas, most notably T.B. and maternity care, outstripped its resources. Thus the failure to meet the perceived deficiencies in hospital care stemmed from two principal sources, firstly the Voluntary Hospitals inability to generate extra capital for investment and secondly, local authority unwillingness to experiment with general hospital provision. The latter reflected the dislike within ratepayer controlled authorities to utilise the rates in a sector dominated by voluntary agencies.

APPENDIX 2C

Scottish and English Hospital Growth, 1890-1938

Beds per 1,000 population

	1890/1		1914/21		1938	
	S	E	S	E	S	E
Voluntary	1.45	1.02	2.08	1.84	2.88	2.75
Poor Law	1.11	3.20	1.41	4.56	1.14	4.34
Public Health	<u>.36</u>	<u>3.20</u>	<u>2.04</u>	<u>4.56</u>	<u>3.14</u>	<u>4.34</u>
	2.92	4.22	5.53	6.40	7.16	7.09

Notes: Tables includes Convalescent Homes, but excludes Nursing Homes. England Public Health (Infectious Diseases) Hospitals

1891	.36
1921	1.33
1938	1.63

English Law allowed Public Health Authorities to erect general hospitals, therefore strict comparison of rate-aided groups is not possible. No allowance has been made for the quality of beds. Poor Law beds refer only to those officially classified as "Hospital".

Sources: as 2A and 2B; R. Pinker, English Hospital Statistics, 1861-1938, (London, 1966).

Summary

In 1890 Scotland had fewer beds per head of population than England. However this deficit was wholly confined to the Public Sector. Indeed in the Voluntary Sector, Scotland had far more hospital beds. This scenario underlined the strong middle class belief in voluntarism and their dislike of redistributing wealth through compulsory welfare taxes.

By 1914, the growth of the Public Health sector had had some effect, but the overall deficit remained. The continued development of these hospitals after the War was sufficient to allow Scotland to overtake England in provision, but although Voluntary Hospitals had increased, the amount of investment they received was not sufficient to prevent English Voluntary Hospitals from virtually wiping out their deficit. Thus by 1938 English and Scottish hospital provision had a similar profile, and similar problems, a tripartite division between acute (the Voluntary Hospital), chronic (the Poor Law Hospital) and infectious (the Public Health Hospital) disease care, a large number of relatively autonomous decision-making units and precarious funding.



APPENDIX 2DPoor Law: Costs per Annum: Scotland 1859-1938

	Cost	Nos	C/N	S (C/N)	C/P	S (C/P)	GR	C/GR	S (C/GR)
1859	546	117	4.67						
1870	684	126	5.43	5.43	.20		17.8	.038	
1880	645	95	6.89	5.18	.18	.20	22.3	.029	.036
1885	613	86	7.13	4.47	.16	.17	23.6	.026	.030
1890	605	82	7.38	4.03	.15	.16	23.5	.026	.030
1895	656	84	7.81	4.03	.16	.15	24.9	.026	.028
1900	731	86	8.50	4.37	.16	.16	27.8	.026	.030
1905	902	94	9.60	4.52	.20	.17	30.9	.029	.032
1910	1139	96	11.62	4.68	.24	.18	32.7	.035	.033
1914	1157	87	13.30	5.03	.24	.19	34.1	.034	.035
1923	2601	105	24.77	8.80	.53	.33	42.5	.061	.061
1928	2648	113	23.43	8.30	.55	.31	45.6	.058	.058
1933	3467	175	19.81	7.04	.72	.26	48.2	.072	.049
1938	5175	217	23.85	7.89	1.06	.30	50.2	.103	.055

	<u>C/N</u> <u>S(C/N)</u>	<u>C/P</u> <u>S(C/P)</u>	<u>C/GR</u> <u>S(C/GR)</u>
1870	100	100	100
1880	133	90	81
1885	160	94	84
1890	169	94	87
1895	194	107	93
1900	195	100	87
1905	212	118	91
1910	248	133	106
1914	264	126	97
1923	298	161	100
1928	282	177	100
1933	281	276	147
1938	302	353	187

Notes: Excludes numbers and cost attributable to the insane poor and to the unemployed after 1921.

Costs in £1,00 (C)

Numbers in 1,000 (N)

GR = Gross Rental in £1,000,000

P = Population

S = "Static"

An alteration in the presentation of the figures was made in 1906 and certain costs which were not strictly attributable to Poor Relief were deleted. In the table the data 1859-1905 have been adjusted accordingly. "Static" costs have been adjusted for variation in the cost of living and represent the cost of relief had the base year cost per recipient remained the same.

Sources: The Annual Reports of the Local Government Board, the Board of Health and the Department of Health; RCPL(SE), evidence of J.T. Maxwell; The Ministry of Labour Gazette, March 1939, Supplement, B.R. Mitchell and Phyllis Deane, Abstract of British Historical Statistics, (Cambridge, 1962); E.H. Phelps Brown and M. Browne, A Century of Pay, (London 1968)

### Summary

The costs of, and numbers on Poor Relief reached a peak in 1870. For the next twenty years, with the policy of adequate by discriminatory treatment, these costs and numbers gradually declined. An all time low of numbers was reached in the summer of 1892. After that both began to increase. Although the 1908 Old Age Pensions Act and the 1926 Old Age, Widows and Orphans Pensions Act helped to reduce the increase, by the 1930s the numbers on ordinary Poor Relief exceeded the high points of the mid 19th Century.

Within this decline and rise, actual costs per recipient (adjusting for the cost of living) steadily rose and by 1895 recipients were receiving twice as much as in 1870. Costs then remained relatively stable until 1905 when they increased sharply. By the early twenties each recipient was receiving three times as much as in 1870. Thereafter they declined and only overtook the level reached in 1923 in the late 1930s.

Unlike costs per recipient, costs per head of population declined after 1870, reaching an alltime low in the 1880s. Thereafter they rose until the mid 1890s, declined a little until 1900 and then rose until the Pensions Act reduced numbers in 1908. By 1914, each Scot was contributing about a quarter more in Poor Relief. After the War, the steady increase in numbers forced costs per head of population to rise and by 1938 each Scot was contributing three and a half times as much as in 1870.

Costs per £1 of rateable valuation (as an index of wealth) declined steadily from 1870 to 1890. Under the pressure of the 1892-5 trade depression costs rose and then declined, but with the depression of 1902-5 and the pressure to increase allowances, by 1910 the real rateable burden was greater than in 1870. The Pension Acts and the unwillingness to modify the means tests throughout the twenties helped to keep costs down, but the rapid rise in numbers in the 1930s and the modification of allowances had by 1938 forced the rateable burden to twice the level of 1870.

Thus throughout the late 19th century, the policy of adequate but discriminatory treatment was, within its own terms, a success. Although "pauperism" declined each remaining "pauper" received more welfare. Moreover, as the wealth of the nation grew, the rateable burden lessened. Between 1892 and 1900 this policy began to break down. The effects of unemployment, the gradual build up of poorhouse medical costs and the policy of intervening in family affairs all resulted in costs being forced up and by 1914 some real redistribution from Capital to Labour had occurred. The slump of 1921 halted the trend. Ratepayer fright of the cost of unemployment relief and the mounting numbers requiring ordinary relief ensured costs per recipient were held constant. As their rateable burden soared, Poor Law authorities could only fall back on a policy of maintaining, not expanding, the real level of welfare. In the first period, the latter 19th century, although there was negative redistribution from Capital to Labour remaining "paupers" did benefit. In the latter period, after 1921, positive redistribution only went to the class as a whole, not the recipient.



APPENDIX 2EPoor Law; Numbers on Relief at 15th May each Year; Scotland 1859-1938

	<u>Males</u>	<u>Females</u>	<u>Total</u>	<u>Depts.</u>	<u>Grand Total</u>	<u>% Pop-ulation</u>	<u>Indoor</u>
1859	nk	nk	77000	40000	117000	3.9	6000
1870	nk	nk	76000	49000	126000	3.8	8000
1890	15000	36000	50000	33000	82000	2.1	8000
1910	20000	38000	58000	41000	98000	2.1	15000
1930	30000	37000	67000	54000	122000	2.5	11000
1938	63000	56000	119000	98000	218000	4.3	10000

Poor Law: Numbers applying for Relief each year; Scotland 1910-38.

	<u>Grand Total</u>	<u>Outdoor Relief</u>			<u>Indoor Relief</u>			<u>Refused</u>
		<u>Males</u>	<u>Females</u>	<u>Total</u>	<u>Males</u>	<u>Females</u>	<u>Total</u>	
1910	104000	20000	16000	36000	35000	14000	49000	17000
1930	106000	32000	19000	52000	31000	9000	41000	13000
1938	168000	91000	32000	123000	24000	8000	33000	12000

Poor Law: Regional Rates, % of Population 1869-1934.

	<u>1869</u>	<u>1903</u>	<u>1934</u>
Ross and Cromarty	4.9	3.7	3.7
Banffshire	5.0	2.0	1.7
Perthshire	3.7	1.4	1.1
Glasgow	3.3	2.3	6.6
Lanarkshire	2.9	1.9	5.2
West Lothian	3.5	1.9	4.5
Roxburghshire	3.0	1.5	1.0
Kirkcudbrightshire	5.0	2.3	1.2

Source: Annual Reports of the Board of Supervision, the Local Government Board, the Board of Health and the Department of Health;  
SRO HH 40; RCPL (SE), evidence of J.T. Maxwell.



APPENDIX 2E

Poor Law: % Numbers on Relief at 15th May each Year; Scotland 1859-1938.

	<u>% Males of Total</u>	<u>% Females of Total</u>	<u>% Indoor of Grand Total</u>
1859	nk	nk	5
1870	nk	nk	6
1890	30	70	10
1910	34	66	15
1930	45	55	9
1938	53	47	5

Poor Law: % Numbers applying for Relief each Year: Scotland 1910-1938

	<u>Grand Total</u>	<u>Outdoor Relief</u>		<u>Total</u>	<u>Indoor Relief</u>			<u>Refused</u>
		<u>Males</u>	<u>Females</u>		<u>Males</u>	<u>Females</u>	<u>Total</u>	
1910	100	19	15	35	34	13	47	16
1930	100	30	18	49	29	8	38	12
1938	100	54	19	73	14	5	20	7

Summary:

After 1860 the rate of "pauperism" began to decline, reaching its lowest point in the early 1890s. Thereafter it gradually increased until 1930 when with the onset of the depression it overtook the levels reached in the 1860s. However this increase was marked by a subtle change in the character of claimants. Firstly "pauperism" moved from being a broadly rural and highland phenomena to one affecting the highly urbanised and industrial parts of Scotland. For instance in the 1860s the Glasgow rate was lower than that for Kirkcudbrightshire, in the 1930s it was the reverse, nearly six times as great. Secondly Poor Relief moved from being confined to widows and other aged women to one predominately of men and of families. The number of male claimants quadrupled between 1890 and the 1930s. Within this there was also a change in the treatment of claimants. Not only did the number of applicants refused relief decline, but so too did those being offered indoor relief. Whereas in 1910 only a third of all applicants received outdoor relief, in the 1930s it was the reverse, two thirds, and the majority of these were men. Thus during the final decade of the 19th century Poor Law administrators found themselves under considerable pressure from urban industrial decline which gradually brought more and more men to seek relief. After the war the continued depression brought a new pressure, married men with some form of disability seeking outdoor relief for themselves and their families. By the outbreak of the Second World War, Poor Law authorities had had to reconcile themselves with a new senario, the failure of the urban industrial economy to provide material rewards to significant numbers of ordinary working class families.

APPENDIX 3AScottish Welfare Administration; Staffing Levels.The Local Government Board.

	1869-70	1892-3	1895-6	1907-8	1913-4
Chairman	1	1	1	1	1
Legal Member	-	-	1	1	1
Medical Member	-	-	1	1	1
Secretary	1	1	1	1	1
Asst. Secretary	-	-	-	-	2
Medical Inspector	-	-	-	1	3
Vetinary Inspector	-	-	-	-	1
Engineering Inspector	-	-	-	-	1
Architect	-	-	-	-	1
Lady Inspector	-	-	-	-	1
General Superintendent of Poor	2	4	4	4	4
Visiting Officer	1	-	-	-	-
Clerks	11	10	12	26	42
Part-time Medical Officer	-	1	1	1	-

Notes; part-time Medical Officer first appointed in 1873, the second Visiting Officer in 1885, the two Visiting Officers appointed General Superintendents of Poor in 1892, the Medical Inspector appointed in 1901, the Lady Inspector and second Medical Officer in 1910, and a third Medical Inspector in 1913. Clerical Staff were gradually increased from 1897 with the Public Health Act. A further boost in these grades occurred in 1906 with the Liberal Government's return and in 1910 with the Town and Country Planning Act. The same Act also saw the recruitment of other technical staff.

The National Health Insurance Commission.

	1913-4
Chairman	1
Deputy Chairman	1
Commissioners	3
Secretary	1
Assistant Secretary	1
Accountant	1
Intelligence Officer	1
Medical Officers	2
Chief Inspector	1
Deputy Chief Inspector	1
Inspectors	6
Assistant Inspectors	15
Clerks	123

Notes; the Inspectorate were located in regional offices.

Source; Annual Civil Service Estimates; SRO HH 1/915 "Outdoor Officers of the Board of Supervision"; Annual Reports of the Board of Supervision. 1873 C 681 (pp 1873 Vol XXIX) letter to Home Office, 23/3/72, and 1892 C 6725 (pp 1892 Vol XXXIX) letter to Inspecting Officer 8/9/92.

APPENDIX 3BScottish Welfare Administration: Secretariat

Secretaries of State\* (President of the Local Government Board,  
1894-1919, and the Board of Health, 1919-28)

	<u>Political Affiliation</u>	<u>Appointed</u>
G.O. Trevelyan	Liberal, Glasgow Bridgeton	8/92
Lord Balfour of Burleigh	Conservative	8/95
A. Murray	Conservative, Bute	6/10/03
Marquiss of Linlithgow	Conservative	2/ 5/05
J. Sinclair (created Lord Pentland, 12/08)	Liberal, Forfarshire	10/12/05
T. Wood	Liberal, St. Rollox	13/ 2/12
H. Tennant	Liberal, Berwickshire	9/ 7/16
R. Munro	Coalition Liberal, Wick	6/12/16
Lord Novar	Liberal Imperialist	24/10/22
W. Adamson	Labour, West Fife	22/ 1/24
Sir J. Gilmour	Conservative, Glasgow Pollock	6/11/24
W. Adamson	Labour, West Fife	7/ 6/29
Sir A. Sinclair	National Liberal, Caithness	25/ 8/31
Sir G. Collins	National Liberal, Greenock	28/ 9/32
W. Elliot	Conservative, Glasgow Kelvingrove	29/10/36
J. Colville	Conservative, North Midlothian	16/ 5/38
E. Brown	Coalition National Liberal, Leith	14/ 5/40
T. Johnston	Coalition Labour, West Stirlingshire	8/ 2/41

\* before 16/7/26, Secretary for Scotland.

Parliamentary Under Secretaries for Scotland\* (Vice-Chairman of the  
Board of Health, 1919-28)

J. Pratt	Coalition Liberal, Glasgow Cathcart	8/ 8/19
J. Kidd	Conservative, Linlithgowshire	31/10/22
W. Elliot	Conservative, Lanark	15/ 1/23
J. Stewart	Labour, Glasgow St. Rollox	23/ 1/24
W. Elliot	Conservative, Glasgow Kelvingrove	11/11/24
T. Johnson	Labour, West Stirlingshire	7/ 6/29
J. Westwood	Labour, South Midlothian	25/ 3/31
N. Skelton	Conservative, East Perthshire	3/ 9/31
J. Colville	Conservative, North Midlothian	28/11/35
H. Wedderburn	Conservative, West Renfrewshire	29/10/36
J. MacEwan	Conservative, Berwick & East Lothian	6/ 9/39
J. Westwood	Coalition Labour, South Midlothian	17/ 5/40

Contd.../



H. Wedderburn**	Coalition Conservative West Renfrewshire	8/ 2/41
A. Chapman***	Coalition Conservative, Rutherglen	4/ 3/42

\* 1919-26, Parliamentary Secretary to the Board of Health,  
1926-28, Parliamentary Under Secretary for Health for Scotland.

\*\* from 8/2/41 an additional post created.

\*\*\*replaced H. Wedderburn.

#### Board of Supervision (1868-1894)

(a) <u>Chairman</u>	<u>Appointed</u>	<u>Background</u>
W. Walker	1868	
J. Skelton	1892	a Conservative
(b) <u>Secretary</u>		
J. Skelton	1868	
M. MacNeill	1892	previously a General Superin- tendent of Poor

#### Local Government Board (1894-1919)

(a) <u>Chairman</u>		
J. Skelton	25/ 8/94	
M. MacNeill	1/ 4/97	
J. P. MacDougall	16/11/04	a Liberal, previously Legal Secretary to the Lord Advocate, 1892-4
Sir G. MacCrae	3/ 5/09	previously Liberal MP for East Edinburgh
(b) <u>Legal Member</u>		
J.P. MacDougall	25/ 8/95	
E. MacPherson	16/11/04	a Conservative, previously Legal Secretary to the Lord Advocate, 1903-4
(c) <u>Medical Member</u>		
J. McLintock	25/ 8/94	previously MOH Lanarkshire
J.B. Russell	12/10/98	previously MOH Glasgow
W.L. MacKenzie	16/11/04	a Liberal candidate in the 1894 General Election, MOH Leith 1898-1901 and Medical Inspector for the Board from 1901

Contd.../

(d) Secretary

M. MacNeill	25/ 8/95
J. Falconer-Stewart	31/ 3/97
A. Murray	6/09
J.T. Maxwell	2/12

previously a General Superintendent of Poor  
previously Staff Clerk, Public Health Branch of the Board  
previously Staff Clerk, Statistical & Audit Branch of the Board

Scottish Board of Health (1919-28)(a) Chairman

Sir G. MacCrae	1/ 7/19
E. MacPherson	4/22

(b) Other Members

Sir J. Leishman

a Liberal, previously Treasurer, Edinburgh City Council and Chairman of the National Health Insurance Commission 1911-19.

Sir W.L. MacKenzie  
Miss M. Ritson  
Dr. J.C. MacVail

previously Commissioner NHIC  
previously MOH Stirlingshire & Commissioner NHIC (resigned 12/21)

(c) Secretary

J.T. Maxwell	1/ 7/19
J. Jeffrey	1/ 7/19

resigned 8/21  
previously Staff Clerk, Poor Law Branch of the Board, General Superintendent of Poor 1909-11 and Secretary NHIC 1911-19

Department of Health (1929-45)Secretary

J. Jeffrey	1929-33
J. Highton	1933-37

previously Chief Intelligence Officer Health Insurance Branch of the Board

W. Douglas	1937-39
W. Fraser	1939-43
G.H. Henderson	1943-53

previously General Superintendent of Poor in the 1920s.

Sources: D. Milne, The Scottish Office (London 1957); Civil Service Appointment Returns. (PP 1912-3 Vol LVI); Annual Reports of the respective Boards and Departments; Who's Who; the Scotsman; D. Butler and J. Freeman, British Political Facts 1900-67 (London, 1968)

APPENDIX 3CChildren under the Poor Law; Scotland, 1890-1945Numbers Boarded-out 15th May each Year

	<u>Orphan</u>	<u>Deserted</u>	<u>Separated</u>	<u>Total</u>
1891	3165	1316	1190	5671
1895	2994	1322	1357	5673
1900	2819	1175	2149	6143
1905	2954	1331	3170	7420
1910	2802	1401	3730	7933
1914	2431	1503	4939	8873
1923	2446	1052	4338	7836
1928	1309	966	4795	7100
1933	1174	1227	6799	9200
1938	1040	930	7125	9093
1945	803	744	5700	7229

	<u>Boarded-out Separated</u>	<u>All Boarded Out</u>	<u>In Poor- house</u>
1891	700 *	4883	788
1895	nk	4694	979
1900	1821	5446	697
1905	2677	6531	889
1910	3273	7106	827
1914	3967	7633	1240
1923	3555	6841	995
1928	4038	6239	861
1933	5863	8150	1050
1938	6102	7938	1155
1945	4882	6343	886

Notes: \* = estimate

Source: Annual Reports of the Board of Supervision, the Local Government Board, the Board of Health and the Department of Health; RCPL(SE), evidence of J.T. Maxwell.



APPENDIX 3C (Contd)

Index of Growth of Numbers in Care, 15th May each Year

	<u>Orphan</u>	<u>Deserted</u>	<u>Separated</u>	<u>Total</u>
1891	100	100	100	100
1895	95	101	114	100
1900	89	89	181	108
1905	93	101	266	131
1910	89	106	313	140
1914	77	114	415	156
1923	77	80	365	138
1928	41	73	403	125
1933	37	93	571	162
1938	32	71	599	160
1945	25	57	479	127

	<u>Boarded-out Separated as % of all Boarded-out</u>	<u>In Poorhouse as % of those in Care</u>
1891	14	14
1895	nk	17
1900	33	11
1905	41	12
1910	46	10
1914	52	14
1923	52	13
1928	65	12
1933	72	11
1938	77	13
1945	77	12

Notes: 1891 is the base year.

Summary

During the latter part of the 19th century, the numbers of children under direct Poor Law care at any one time remained fairly constant, at about 5700. Over half of these were orphans and another quarter had been deserted by their parents. Only a small proportion were children separated from their parents. During the 1890s this began to alter. With the new policy of family intervention, the number of separated children doubled by 1900 and quadrupled by 1910. By 1914 over half of the children under Poor Law care were of this category and with fewer orphans and deserted children after the War this figure grew even more. The increased number applying for relief and the general poverty amongst many during the depression of the thirties saw another surge of separated children, so that by 1938 over 7000 such children were in care, a seven fold increase in fifty years. Poor Law care for children had therefore ceased to be passive, after the event of some disaster, rather in anticipation of likely distress or harmful condition.

APPENDIX 3DChildren Boarded-out: Glasgow 1892-1928Nos Boarded-out in each year

	<u>Orphan</u>	<u>Deserted</u>	<u>Separated</u>	<u>Total</u>
1892	nk	nk	55	nk
1897	nk	nk	nk	nk
1900	40	39	222	313
1905	108	35	223	366
1910	100	53	272	425
1913	93	35	412	502
1923	132	24	252	408
1928	35	53	353	441

Nos Boarded-out at 15th May

	<u>O + D</u>	<u>Separated</u>	<u>Total</u>
1892	496	243	739
1897	517	521	1038
1900	623	678	1301
1905	752	1259	2011
1910	695	1393	2088
1913	638	1609	2247
1923	586	1491	2037
1928	337	1598	1936

Notes: Data before 1900 refers to Barony and City Parishes.

Source: Barony, City and Glasgow PCM; Motion, "Notes on the Scottish Poor Law ...", op cit.

APPENDIX 3D (Contd)Index of Growth in Numbers of Children Boarded-out: Glasgow, 1892-1928

<u>Numbers of Children Boarded-out in each Year</u>				
	<u>Orphan</u>	<u>Deserted</u>	<u>Separated</u>	<u>Total</u>
1892	nk	nk	25	nk
1897	nk	nk	nk	nk
1900	100	100	100	100
1905	270	89	101	122
1910	250	136	123	141
1913	233	89	186	167
1923	330	62	114	136
1928	88	136	159	147

<u>Numbers Boarded-out at 15th May each Year</u>			
	<u>O + D</u>	<u>Separated</u>	<u>Total</u>
1892	80	36	57
1897	82	77	80
1900	100	100	100
1905	121	186	155
1910	111	205	160
1913	102	237	173
1923	94	220	157
1928	54	236	149

Notes: 1900 is the base year.

Summary

No statistics exist of the numbers of Scottish children boarded-out between 1890 and 1930, so Glasgow's records from 1899 to 1930 is very informative of the basic trend. Although Glasgow began boarding-out separated children earlier than other parishes, the actual increase in the numbers boarded-out at any one time reflects the broad Scottish statistics. Thus it can be seen that the latter 1890s witnessed a dramatic increase in the number of separated children being boarded-out, from about 50 per annum to over 200. The next surge occurred after the 1908 Children Act and by 1913 over 400 were being boarded-out. This drops after the War and only gradually rises back to the prewar figure by 1930. Thus interventionism in family life appears as a two stage phenomena, a surge in the late 1890s and again after 1908. This illustrates the interrelationship between a changing perception of "sound" administration (controlling the flow of claimants), the basis of "normal" family conduct and of the law. Interventionism drew its force from all three. The tables also indicate that separated children tended to remain boarded-out for longer periods than other kinds; orphans were likely to be reclaimed by other relations, and deserted children, their parents pursued by the



Parish. For many parents, separation was not a temporary phenomena until they had shown themselves "fit", rather it was permanent, a reflection that the Parish no longer believed they could ever be "fit" to control their children. This really was a testament to an altered philosophy.

APPENDIX 3E

Hospital Admissions 1870-1937: Numbers per Annum

	<u>Voluntary</u>		<u>Dispensaries</u>	<u>Public Health</u>	<u>Poor Law</u>
	Inpatients	Outpatients	Outpatients	Inpatients	Inpatients
1870	24000	70000	40000	nk	nk
1890	40000	157000	52000	15000	15000
1913	79000	256000	80000	50000	33000
1937	181000	636000	(200000)	75000	55000

Source: as 2A and 2B: Glasgow Medical Officer of Health Annual Reports, 1900-38.

Notes: admission sums rounded as a number of the returns were based on estimates

Indexed Growth of Hospital Admissions, 1870-1937

	<u>Voluntary</u> <u>Inpatients</u>	<u>Public Health</u> <u>Inpatients</u>	<u>Poor Law</u> <u>Inpatients</u>
1870	60	nk	nk
1890	100	100	100
1913	198	333	220
1937	453	500	367

Notes: 1890 is the base year.

Summary

The number of voluntary hospital patients, both indoor and outdoor doubled roughly every twenty years. Dispensary usage appeared more erratic. Public Health admissions grew fastest before 1914, whilst Poor Law ones followed a pattern similar to the Voluntary Sector. (Some Poor Law patients after 1930 were treated in poorhouses administered by Public Health Departments). Thus the pressure for hospitalisation was sustained throughout the periods and affected all types of institutions.

APPENDIX 4APoorhouse; Growth of Numbers, Scotland 1870-1914

	A	B	C	D	E	F	G	H
1870	42230	7807	20794	49	1823	23	1112	14
1880	51708	9875	21556	42	2476	25	2008	20
1885	39024	9573	21192	43	2409	25	1815	19
1890	46818	8835	22185	47	2511	28	1225	14
1895	57222	10112	23644	41	2923	29	1412	14
1900	61773	10770	26220	42	3222	30	1578	15
1905	79631	15371	30963	39	4253	28	1902	12
1910	88157	15139	35614	40	5080	34	2015	13
1913/14	74058	13394	33232	45	5050	38	1799	13

Notes: A = nos of persons receiving indoor relief during year  
 B = nos on indoor roll, average of 30/6 and 31/12  
 C = nos of sick list during two half years  
 D = C/A in %  
 E = nos on sick indoor roll, average of 30/6 and 31/12  
 F = E/B in %  
 G = nos of children on indoor roll, average of 30/6 and 31/12  
 H = G/B in %

Sources: RCPL(SE), Evidence of J. T. Maxwell; Annual Reports of the Local Government Board



APPENDIX 4AIndexed Growth of Poorhouse Numbers, Scotland, 1870-1914

	A	B	C	E	G
1870	90	88	94	73	91
1880	110	112	97	99	164
1885	103	108	96	96	148
1890	100	100	100	100	100
1895	122	114	107	116	115
1900	132	122	118	128	129
1905	174	170	140	169	155
1910	188	171	161	202	164
1913/14	158	151	150	201	147

notes: 1890 is the base year

Summary

Between 1870 and 1890 the number of claimants receiving indoor relief each year, at first increased and then decreased. The same was true of those on the list at any one time. Although only a minor increase in the number of sick being treated occurred, there was a steady growth of the number of sick at any one time.

After 1890 the number of claimants receiving indoor relief increased at an annual average rate of 2,000. Similarly the number on the list at any one time increased by an average of 600. Although the number of sick being treated also increased, it showed little variation from the overall trend, except that the number of sick as a proportion of the total on the list at any one time gradually increased from a quarter to a third. The number of children varied little from the overall trend.

The tables thus indicate the two trends affecting poorhouse management, both pulling it in opposite directions; the growth in casual usage by those on the borders of the labour market and the growth of long term chronic sick.

APPENDIX 5ASeparated Children Boarded-Out; Glasgow, Classified by Parents  
Circumstances. 1904 and 1905

	on 16/5/04	on 15/5/14
Both parents drunken, been in prison, etc	195	315
Parents sent to prison (Cruelty Acts)	60	55
Father dead; mother drunken and immoral	312	379
Father in hospital, seriously ill; mother dead	34	95
Mother " " ; father dead	19	71
Father in hospital, mother drunken	23	73
Mother dead; father been drunken, in prison or in desertion	143	180
Illegitimate; mother been drunken, immoral or been in prison, etc	230	271
Father dead, mother unfit to support, not suitable, unable to control, etc.	146	152
From a variety of causes, such as remits from Sheriff Court, one parent dead, other in asylum, illegitimate through bigamous marriages, etc	<u>36</u>	<u>48</u>
	1198	1639

Source; Glasgow PCM and Annual Reports

Summary

1904 was the earliest date when these statistics were recorded. Between then and 1914, the number of separated children boarded-out increased by about 30% and as the table indicates a significant proportion of this increase came from two parent or father-only families. It confirms that Glasgow had overtuned the established philosophy of not assisting dependents of the able-bodied.

APPENDIX 5BInfant Life Protection; Scotland 1913-45

	<u>Numbers on Register</u>	<u>Modifications per annum</u>	<u>Visits per annum by Protection Officer</u>
1913	4599	3415	18130
1923	3827	1771	16231
1928	3407	1548	14978
1933	3317	1363	16957
1938	2186	954	10915
1945	1363	nk	nk

Notes; Numbers as at 15th May each year. Under the 1932 Young Persons Act the age limit was raised to nine

Source; Annual Reports of the Local Government Board, the Board of Health and the Department of Health



APPENDIX 5CDundee Parish Council- Use of Poorhouse Inmate Labour, 1905 and 1923

at 31/12/05	<u>Males</u>	<u>Females</u>	<u>Children</u>
Firewood and bunching	32		
Firelighters	2		
Rope-teasing, yarn winding	50	9	
Joiners	2		
Plumber	1		
Painters	3		
Shoemakers	3		
Tailors, sewers, knitters	3	36	
Gate-keepers	4		
In kitchen, scullery	5	16	
In straw shed	3		
Scavengers	3		
Coal Carriers	6		
Window Cleaners	6		
Warders and Cleaners	36	55	
Laundry Workers	2	12	
Messengers	9		
Field and garden workers	<u>12</u>	—	
		128	
Unable to work	93	165	47
Hospital patients	50	94	
In children's department	—	—	<u>111</u>
	143	259	158
TOTAL	332	387	158
at 31/12/23			
Firewood	40		
Field and garden	18		
Warders and Cleaners	69	75	
Laundry Workers	2	6	
Kitchen workers	2	10	
Sewers and knitters		15	
Coal Carriers	3		
Gatekeepers	4		
Tailors	2		
Straw shed and piggery	4		
Messenger	<u>1</u>	—	
	145	106	
Hospital Patients	131	175	
Infirm Inmates	<u>56</u>	<u>54</u>	
	187	229	
TOTAL	332	335	

Source; Dundee PCM, "Governors Annual Reports, 1905 and 1923"

Summary

This table indicates the extent of poorhouse inmate labour in both 1905 and 1923. In 1905 a wide spread of carefully graded work was available to the labour master and mistress, the "worst" being rope-teasing, the "best" being the skilled labour of a plumber, shoemaker, etc. They could therefore maintain discipline amongst the inmates, refractory ones being sent to tease rope and better ones being offered more "pleasant" work. In 1923, a qualitative change had occurred in the nature of work provided. Firstly, there were fewer categories and secondly, the more odious forms had been abandoned. Nevertheless, inmates were still expected to work.

APPENDIX 5DGlasgow; Admission to Poor Law Hospitals and Hospital Sections of the Poorhouse 1901-38

	<u>Stobhill</u>	<u>Eastern District</u>	<u>Western District</u>	<u>Barnhill</u>	<u>Total</u>	<u>Southern General</u>	<u>Grand Total</u>
1901				8612	8612	1800 <sup>x</sup>	10412
1905	4132	1448	1772	2604	9956	2000 <sup>x</sup>	11956
1913	3812	1712	1360	3088	9972	2000 <sup>x</sup>	11972
1921	3696	2280	1584	2300	9960	2112	12072
1929	9620	2264	2904	1408	16196	3628	19824
1931	11266	3225	4186	na	18659	3483	22142
1938	12363	3157	5404	na	20924	7268	28192

Source; Glasgow PCM, Govan PCM, Annual Report of the Medical Officer of Health, Glasgow, 1938, Annual Reports of the Local Government Board

Notes: x = estimate based of Board returns  
na = no figures available

The number of hospital beds available in the first three institutions remained the same throughout the period.  
The Southern General ceased to receive ordinary Poor Law Cases in 1937

Indexed Growth of Admissions to Glasgow's Poor Law Hospitals and Hospital Sections of the Poorhouses, 1901-38

	<u>Stobhill</u>	<u>Eastern District</u>	<u>Western District</u>	<u>Barnhill</u>	<u>Total</u>	<u>Southern General</u>	<u>Grand Total</u>
1901				331	87	90	87
1905	100	100	100	100	100	100	100
1913	92	118	77	119	100	100	100
1921	89	157	89	88	100	106	101
1929	235	156	164	54	163	181	166
1931	273	223	236	na	187	174	185
1938	299	218	305	na	210	364	236

notes; 1905 is base year

Summary

Despite the erection of three new hospitals in 1904 Glasgow before 1914 saw little increase in sick being admitted for treatment. Only in the 1920's did the numbers of admissions increase. But as Govan's Southern General Hospital increased by the same proportion as Glasgow's three Hospitals, it does not seem likely that these hospitals by themselves attracted extra patients. In the 1930's only the Western and the Southern attracted extra patients. Thus any removal of Poor Law stigma, if it came at all, came late.



APPENDIX 5EGlasgow Royal, Western and Victoria Hospitals; Growth of Admissions, 1894-1934

	<u>1894</u>	<u>1901</u>	<u>1913</u>	<u>1934</u>
Average Daily Numbers	1056	1103	1442	1827
Inpatients	11374	13192	21924	36500
(surgical)		8900	15300	27000
Outpatients	40744	55000	71298	19400

Sources; as 2A and 2B; Report of the Committee on the Scottish Hospital Services. Cd 5204 (PP 1935-6 Vol XI); Origin and Development of the Victoria Hospital of Glasgow. (Glasgow, 1938); J. Patrick, A Short History of Glasgow Royal Infirmary. (Glasgow, 1940); M. MacDonald, The Glasgow Royal Infirmary. (Glasgow, 1971); R. B. Ness, The Western Infirmary of Glasgow. (Glasgow, 1940); L. MacQueen and A. B. Kerr, The Western Infirmary of Glasgow, 1874-1974. (Glasgow, 1974)

Notes; some of the admissions sums rounded as a number of the returns were based on estimates

Indexed Growth of Admissions to Glasgow Royal, Western and Victoria Hospitals, 1894-1934

	<u>1894</u>	<u>1901</u>	<u>1913</u>	<u>1934</u>
Average Daily Numbers	100	104	137	173
Inpatients	100	116	193	321
% of Inpatients who were Surgical		67	70	74
Outpatients	100	135	175	476

notes; 1894 is base year

Summary

Between 1894 and 1901 the number of inpatients increased only marginally. After that date the numbers increased dramatically, double the 1894 numbers in 1913 and three times in 1934. The number of surgical cases grew faster than any other group. Thus these hospitals underwent a profound alteration in the care they provided, treating not only more patients, but also more acute ones. This was in sharp contrast to Glasgow's Poor Law Hospitals which failed to both attract any extra patients until the mid-twenties and establish themselves as centres for the treatment of acute illnesses.

APPENDIX 6AParish Relief During the 1921 Miners' StrikeDecisions on Assistance

Auchinleck	12/5, refused noting that, "in view of the serious consequences which might result in a departure from strictly legal basis of admission and the continuing expenditure likely to be incurred in granting relief to able-bodied persons on strike, it was agreed to delay..."; 9/6 a decision held over pending definite instructions from the Board; 15/6 at end of meeting a telegram was read from Board, "if in the opinion of the medical officer nourishment afforded from other sources is in any cases insufficient for maintenance of health, Parish Council would be entitled to provide such further nourishment as would prevent physical injury being caused". Left to inspector to deal with the ten cases under review; 14/7 One case received 10/- for a month, another received milk and eggs, another 20/- for a week and another 2 pints milk a day and 6 eggs per week for one month.
Ochiltree	9/5, asked Board whether could contribute to local soup kitchen; 9/6 reply did not answer question and nothing decided.
Riccarton	19/4 asked Board whether could contribute to communal feeding fund; 10/5 reply stated the only method was through normal channels, no decision taken.
Borthwick	16/5 three miners enrolled at varying sums from 5/- for provisions, to £1; 30/5 five refused, one offered poorhouse.
Cranston	2/6 inspector had given 5/- to woman on account of strike.
Cockpen	5/5 after reading circular left to sub-committee to deal with cases recommended by the medical officer. 19/5 and 30/6 forty-two cases relieved and thirteen refused.
Auchterderran	25/4 agreed to act in accordance with circular and seven given nutritious diets. Maximum expenditure per case 10/- per week.
Ballingry	18/4 agreed to meet the Board; 22/4 a sub-committee set up to implement circular; 11/5 sixty-three given medical relief or nutritious diets; 1/6 thirty seven and one to get clothing; 13/7 thirty-nine.
Beath	24/5 except where medical relief and nourishments recommended by medical officer, all to be offered poorhouse; 31/5 modified to allow five poorhouse cases to receive food.
Dalgety	26/5 after phone call to Board and circular read out agreed to follow their instructions. Wife of an able-bodied man received 1 pint of milk and two eggs per day.
Dalzeil	22/4 £32 to local soup kitchen.

Numbers returned to Board as on relief on 15/5

Newbattle	183 miners, 184 adult dependents and 650 children, total 834.
Dalkeith	34 miners, 34 adult dependents and 125 children, total 202.
Cockpen	35 miners and one woman, 36 adult dependents and 113 children, total 185.
Slammanan	11 miners, two women, 11 adult dependents and 63 children, total 87.
Total	263 miners and three women, 266 adult dependents and 262 children, total 950.

Source: Parish Council Minutes; SRO HH 40/120



APPENDIX 6BBoard of Health's Questionnaire sent to Industrial Parish Councils  
on Distress through Unemployment.

Issued on 31/8/21 and information collated by the General Superintendents of Poor.

- 1 General Paperism Number of applications 15th May to 15th August 1920 : 1921
- 2 a) Number of Applications for Poor Relief received since 1st April from
  - 1) Able-bodied men out of employment
  - 2) Able-bodied women out of employment
- b) Number of a) who were mine workers 1) men 2) women
- c) Number of applications under a) granted by Parish Council
  - a) men b) women
- d) Number of persons ie adults and children in respect of whom relief granted
- e) Number of applications refused
- f) Number referred to the Sheriff
- g) Number ordered relief by the Sheriff; state briefly grounds on which Sheriff ordered relief
- h) Are single men being relieved?
- i) Is strict investigation being made into circumstances of each individual case?
- j) Are relatives legally and morally liable being called upon to maintain?
- k) Is relief given in kind?
- l) Is the Medical Officer consulted as to physical condition?
- m) Are cases of a) expectant mothers and young children receiving food from Child Welfare Agencies, and b) schoolchildren receiving food from the Education Authority, being assisted also by the Parish Council? If so, in how many cases and to what extent?
- n) Has the Inspector of Poor any observations to offer as to whether the needs of able-bodied persons in distress are being reasonably met by the various agencies in operation?
- o) Any general observations?

Source: Denny PCM, 12/9/21.

APPENDIX 6CLetters by the Board of Health to Parish Councils during August 1921  
on Relief to the Unemployed

Blantyre PCM, 3/8 (Telegram) "Relief may be given to able-bodied unemployed persons only in cases where absolute destitution threatens to cause physical injury to health. Such relief not legal relief and therefore not claimable against Parish of Settlement. Where relief afforded ordinary Poor Law procedure should be followed and strict investigation of individual circumstances should be made."

Wemyss PCM, 18/8 Letter sent 4/8.

The Board understand that your Parish Council have had under consideration the question of the relief of the destitution caused through the inability of a considerable number of miners to find employment at the present time, and that it has been decided to make a small weekly grant of provisions to the value of 10/- or 20/- in the case of Unemployed Able-bodied men with dependents. The Board further understand that this relief is being given by way of a loan, the recipient signing an undertaking to repay as soon as possible, and that accordingly the Ordinary Poor Law procedure is not being carried through, that is, strict investigation is not made at the home of the applicant and the Parish Medical officer is not consulted as to the physical condition of the applicant.

I am directed to inform you that the Board's letter dated 19th April to the Inspector of Poor of Auchinleck (a further copy of which is forwarded for your information) enunciates the principles which must be followed in dealing with destitution caused through the miners strike and that those principles are equally applicable to the present position resulting from the strike. I am to impress on you that the Parish Council have no authority to proceed beyond the terms of that letter, and in particular that before relief is granted the Ordinary Poor Law procedure must be carried through. The fact that an applicant undertakes to repay the value of the relief afforded is not sufficient justification for the Parish Council granting relief to Able-Bodied men who do not come within the category indicated in the third paragraph of the Board's letter of the 19th April.

Signed A. Smail  
Assistant Secretary.



Bothwell PCM, 22/8 Letter sent 8/8

In reply to your letter of 6th inst. relative to the question of the powers and duties of Parish Councils in regard to granting relief to able-bodied persons. I am to say that the position taken up by the Board is stated in the letter of 19th April to the Inspector of Poor of Auchinleck, a further copy of which is forwarded for your information. It is NOT INTENDED that Parish Councils should relieve all unemployed workers. Relief should be granted to able-bodied men only where it is quite clear that there is no other way of preventing distinct injury to the health of the applicants or their dependents. In considering applications for relief strict inquiry should be made into the family circumstances and generally THE USUAL POOR LAW PROCEDURE should be followed.

I am told to add that the Board are making a special inquiry into the methods of relief being followed by Blantyre Parish Council. So far as the assurance asked for in the penultimate paragraph of your letter is concerned, the Board are not in a position to express any opinion. Even in the event of a successful action by a ratepayer, it would affect only the overcharge made upon him in respect of the amount of relief given to the dependents of able-bodied men and would not invalidate or overturn the whole assessment.

John Jeffrey, Secretary.

Bothwell PCM, 22/8. Copy of letter sent to Hamilton PC on 9/8.

I have submitted to the Board your letter of 8th inst., and in reply I am directed to inform you definitely that the Board are not understood as suggesting the granting of relief to able-bodied persons, except under conditions and reservations expressly stated in the Auchinleck letter. They expect Parish Councils to adhere strictly to the terms of that letter, which are clearly stated and self explanatory. In this connection the Board would remind you that as has already been stated in their letter to you of 4th inst., where relief is applied for, it should be granted only after careful investigation of the applicant's circumstances, and after the usual poor law procedure has been followed.

The Board cannot accept liability for the expenses of any action of declarator in the Court of Session or for any payments made to able-bodied persons out of work.

As to the question of audit, in considering the matter of surcharge, the Board would have regard to



the particular circumstances of the cases in which relief had been granted, and to the question whether the terms of the Auchinleck letter had been reasonably interpreted by the Parish Council or not.

John Jeffrey, Secretary.

Govan PCM, 25/8. Letter sent 22/8 (after Cabinet meeting)

I have to acknowledge receipt of your letter of 16th instant, in regard to the question of granting relief to able-bodied unemployed persons, and am to reply as follows:-

- (1) Relief should not be given for the purpose of paying rents that are in arrears;
- (2) As far as possible, any relief given to able-bodied persons should be in kind;
- (3) ... Relief even in such cases should be given only after strict investigation has been made into their circumstances as the usual Poor Law procedure has been given effect to, eg, reference of the applicant to the Parish Medical Officer, etc, etc.

APPENDIX 6DThe Unemployed and Parish Council Relief, August to October 1921

<u>Parish</u>	<u>Decision and amount for man, wife and two children</u>	<u>Nos on relief 15/9/21</u>	<u>Nos of Dependents</u>
*Cathcart	9/8 left to IP; 20/9 Agreed in kind	5	22
*Eastwood	9/8 IP own decision; 27/9 Agreed after deputation. 29/6d.	67	161
Greenock	13/9 left to IP; 16/9 Agreed after demonstration. 28/9 29/6d		
Kilbarchan	20/9 Agreed. 25/-		
Lochwinnoch	9/9 IP own decision; 6/10 Agreed	4	13
Mearns	21/9 Agreed		
Paisley	9/9 Agreed after demonstration and deputation. 25/-; 29/9 29/6d	394	1327
Port Glasgow	6/10 Agreed to leave to C.O.S., after demonstration and disorder; 15/9/22 Agreed to take over from C.O.S., after disorder.		
Ardrossan	1/9 IP own decision; 13/9 left to IP to continue; 20/9 Agreed	57	204
Auchinleck	8/9 refused; 4/10 Agreed after deputation. 29/6d.		
Beith	19/10 Agreed. 29/6d in kind.		
Dalmellington	26/9 Agreed, IP own decision before.	1	1
Dalry	23/9 Agreed. 31/-		
Dalrymple	31/10 left to IP		
Dundonald	15/9 Agreed after deputation. 25/-		
Cumnock	23/9 delay; 26/9 Agreed after deputation.		
Galston	7/9 left to IP; 4/10 Agreed after deputation. 29/6d		
Irvine	15/9 Agreed after deputation. 32/-; 1/11 29/6d.		
Kilbirnie	6/9 IP own decision; 19/9 Agreed in kind.	21	33
**Kilwinning	22/8 Agreed in kind at 5/- per head	87	194
Loudon	18/10 Agreed		
Ochiltree	1/10 left to IP		
Riccarton	27/9 Agreed. 29/6d		
*Stevenston	23/8 Agreed with medical certificate. 2/6d per head in kind. 26/9 5/- per head in kind. 10/10 20/6d	90	334
Stewarton	23/9 left to IP; 7/10 Agreed after deputation "backed up by a crowd outside".		
Ayr	nk	3	17
Muirkirk	nk	1	2
Cockpen	7/10 Agreed. 29/6d.		
Newbattle	12/10 Agreed. 29/6d		
West Calder	13/9 Agreed in kind		
Inveresk	nk	5	28
Bathgate	15/9 Agreed. 25/-, part cash; 6/10 29/6d. IP own decision before	29	140

Bo'ness	6/9 left to IP; 4/10 Agreed after deputation. 29/6d	7	22
Dalmeny	16/9 left to IP; 6/10 Agreed. 29/6d		
*Kirliston	4/8 Agreed with medical certificate; 15/9 Agreed after demonstration and deputation where the "men took scale and came back stating agreement". 31/- 5/10 29/6d		
Torphicen	16/9 Agreed. 25/-; 7/11 29/6d		
Uphall	22/9 delay, "a number of unemployed at gate" and deputation; 27/9 Agreed 29/6d		
Livingston	nk	15	47
Whitburn	nk	46	?
*Auchterderran	17/8 Agreed on medical certificate; 16/9 Agreed. 30/-	5	5
**Ballingry	9/8 Agreed. 5/- in kind; 16/8 Modified to medical certificate (ratepayers objection); 19/9 Agreed 15/-; 3/10 29/6d	28	77
*Beath	17/8 Agreed on medical certificate. 5/- in kind; 27/9 Agreed 29/6d	4	14
Dalgety	22/9 Agreed. 5/-		
Dunfermline	6/10 Refuse (illegal and a national problem); 3/11 Agreed. 29/6d		
Markinch	28/9 Agreed 29/6d		
Scoonie	17/9 Agreed in kind.		
Wemyss	21/7 left to IP (loans); 18/8 Agreed. 20/- in kind; 3/10 29/6d	76	289
Clackmannan	7/10 Agreed after deputation		
Denny	10/10 Agreed and offered relief work at cemetary.		
Falkirk	9/9 Agreed 39/1; 27/9 29/6d	34	87
**St Ninians	18/7 Agreed on medical certificate; 15/8 Agreed. 30/-; 16/11 29/6d	26	91
Stirling	19/9 Agreed in kind; 27/9 29/6d	9	27
Kirkaldy	nk	18	64
Kinglassie	nk	2	7
Grangemouth	nk	3	13
**Blantyre	3/8 Agreed 21/-; 6/10 29/6d after deputation had "thanked Parish Council for patient and courteous reception". 29/9		161
Avondale	20/9 Agreed 30/-		
Bothwell	22/8 Refused and established a voluntary fund; 8/9 Refused and asked Board to sign memorandum; 15/9 Board states that it was an official pronouncement. Agreed. 21/- 5/10 29/6		
Cadder	28/9 left to IP; 2/11 Agreed 29/6d		
* Cambuslang	11/8 Agreed with medical certificate after deputation. 28/-; 29/9 Agreed 29/6	140	306
Cambusnethan	16/9 Agreed; 28/9 29/6d		
Carluke	11/10 Agreed		
Dalziel	16/9 Agreed; IP own decision before; 7/10 29/6d	14	57
Douglas	15/9 Agreed. 15/- in kind; 11/10 after deputation, 27/- in kind		



Glassford	6/9 left to IP		
Lanark	20/9 Agreed 25/-		
Lesmahagow	6/9 Delay after demonstration and deputation; 15/9 Agreed. 26/-; 4/10 29/6d		
Hamilton	7?/8 Delay; 5/9 Agreed	39	113
Rutherglen	6/9 left to IP; 23/9 Agreed 29/6d		
Shotts	19/9 Agreed 30/-; IP own decision before; 26/9 29/6d	14	57
Dalserf	22/9 Agreed 15/-; IP own decision before.	20	80
Carnwath	nk	8	43
Old Monkland	nk	132	345
Bonhill	19/9 Agreed after deputation from demonstration. 32/6d; 30/9 29/6d		
Cardross	15/9 Agreed. 27/-.		
Dumbarton	28/9 Agreed after demonstration and deputation; IP own decision before	8	28
Kirkintilloch	20/2/23 Agreed, previously by voluntary fund		
Old Kilpatrick	12/9 Agreed after deputation. 32/-; 12/10 29/6d under protest, as inadequate.		
Renfrew	28/9 Agreed to September Scale, 29/6d.		
Dundee	6/9 Delay after deputation and demonstration; 7/9 Delay after deputation and disorder; 9/9 Agreed after deputation and Board representative. 32/-; 29/9 29/6d	2351	4431
*Edinburgh	9/9 Agreed after deputation and demonstration. 35/-; 26/9 29/6d	1728	3458
*Glasgow	24/8 Agreed. 25/-; IP own decision before; 30/9 29/6d	1801	3500
*Govan	25/8 Agreed. 25/-; IP own decision before; 3/10 29/6d.	2390	7298
Brechin	nk	1	2
Peterhead	nk	4	18
Fraserburgh	nk	1	5
Galashiels	nk	5	9
Total		9951	23129

Source: Parish Council Minute Books, local newspapers and SRO HH 40/121

Notes: Agreed = enroll if unemployed and destitute.  
IP = inspector of poor.  
demonstrations and deputations have been included where known from the sources.  
nk = not known, records missing.  
September scale for man, wife and two children was 29/6d.  
\* = parishes that were providing assistance before Cabinet decision on 19/8 became generally known, on the basis of a medical certificate or by the inspector's own decision.

\*\* = parishes that agreed to enroll before the Cabinet decision on the basis of unemployed and destitute.

Ten parishes paid relief above the September scale before the Board's conference on the 23/9. Of these, only Edinburgh and Falkirk has scales well in excess of the agreed amount.

APPENDIX 6ENumbers of Unemployed Assisted by Govan and Glasgow Parish Councils,  
1921-1924

27/8/21	300
3/9/21	1100
10/9/21	2500
17/9/21	5400
24/9/21	8100
1/10/21	9800
8/10/21	11750
15/10/21	14100
22/10/21	18500
29/10/21	19600
4/11/21	17900
10/12/21	8250
11/3/22	11100
17/6/22	24000
23/9/22	20600
28/4/23	23500
22/9/23	18600
26/1/24	21000
14/6/24	14000

Source: Glasgow Corporation Public Assistance Department Annual  
Statistics 1930-1



APPENDIX 6F

Unemployment and Parish Scales of Relief, 1921-26

	<u>Agreed 23/9/21 by Conference</u>	<u>Scottish Council of the Labour Party, Oct 1921</u>	<u>Board's Scale 8/5/26</u>
man	12/6	30/-	18/-
wife	10/-		5/-
child lt 16	3/6	5/-	2/-
child ge 16	7/6	7/6	
single person	15/-	20/-	
maximum	40/-		40/-

subject to deduction of all household income, except that can exceed 40/- if other unemploy- ed adults in house.	% above September scale for man, wife and two children under 16, = 35%.	% below September Scale for similar family unit = 8%
--	--	--

	<u>8/11/20</u>	<u>3/3/21</u>	<u>Unemployment Benefit</u>		<u>14/8/24</u>	<u>19/4/28</u>	<u>13/3/30</u>
			<u>30/6/21</u>	<u>10/11/21</u>			
man	15/-	20/-	15/-	15/-	18/-	17/-	17/-
wife				5/-	5/-	7/-	9/-
child lt 16				1/-	2/-	2/-	2/-
child ge 16				5/-	5/-	7/-	9/-
single person	15/-	20/-	15/-	15/-	18/-	17/-	17/-
% above or below September scale for same family unit			-49%	-25%	-8%	-5%	+2%

Sources: Annual Reports of the Board of Health; Govan PCM 27/10/21; B Swann and M Turnbull, PRO: Records of Interest to Social Scientists; Unemployment Insurance 1911-39 (London 1975).

Notes: From 1924, parishes which paid the September scale would have little "topping up" to do, and if they agreed to the 1926 Board circular they would have none. After 1924 most unemployed on parish rolls would be those disqualified or those otherwise not entitled to unemployment benefit. They would therefore be dealing primarily with those who had poor employment records, the unskilled, the long-term unemployed and those the Labour Exchange had decided were "not genuinely seeking work". This helps to explain the changing focus of attention by parishes to policies for dealing with the "workshy".

APPENDIX 6GParish Councils and Poor Relief to Miners' Dependents 1926

The Board's scale had allowed for 12/- for a wife and 4/- for a child. All income and feeding at school, etc., deductable. Reports on how the miners fared during the strike can be found in the Edinburgh Evening News 21/5/26 "The Lot of the Miners"; The Scotsman 31/5/26 "Among the Lothian Miners"; D L Smith, The Dalmellington Iron Company, (Newton Abbot, 1967)

Many Parishes gave relief only in kind, the exact quantities are not noted but the foodstuffs, etc., were similar to that given by Mid-Calder and Kirknewton during the Shale Oil dispute, viz.,

3½ pints sweet milk per household; ½lb margarine, 1 4lbs loaf bread, ½lb dripping, 10ozs sugar, 3½lbs potatoes, 2oz tea, 1 lb flour, ½lb barley, ½lb lentils per head; 1 bar of sunlight soap, 2 bags of coal and 1½galls paraffin per household per week.

Mid-Calder PCM 11/12/25, Kirknewton PCM 8/12/25

<u>Parish</u>	<u>No of Families on Relief</u>	<u>% of Population</u>
<u>Stirlingshire</u>		
Denny	314	12
14/5	10/- and 3/6	25/- max in kind
30/7	8/- and 3/-	
Dunipace	41	10
14/5	10/- and 3/6	25/- max
18/8	8/- and 3/-	
Falkirk	166	2
13/5	12/- and 4/-	mostly in kind
Larbert	33	2
19/5	12/- and 4/-	40/- max
Logie	na	na
8/5	12/- and 2/-	
28/6	6/- and 2/-	
23/7	stopped, left to Inspector	
St Ninians	789	25
7/5	10/- and 3/6 in kind	
26/7	7/6 and 2/6	
Stirling	364	8
10/5	10/- and 3/6	25/- max
28/7	8/- and 2/-	
Airth	55	14
Capmsie	35	3
Grangemouth	29	1
Kilsyth	329	14
Muiravonside	233	18
Slammanan	na	na

Clackmannanshire

Alloa	187	4
11/5	10/- and 2/-	20*- max, mostly in kind

Dollar	2	0
7/6	up to 10/- in kind	

Clackmannan	38	7
10/5	offer field work	
31/5	10/- in kind	
7/8	stopped relief, left to Inspector	
6/9	this stopped.	

Tillicoultry	na	na
14/5	12/- and 4/- in kind	
26/7	stopped	
23/8	5/- and 1/6	
22/9	stopped	
12/10	on medical officer's certificate	

Fife

Aberdour	67	9
18/5	20/- in kind	
25/5	13/-	
22/7	8/-	
16/8	5/- and 2/- to under 5s	
23/11	stopped	

Auchterderran	1332	40
6/5	agreed to receive applications	
18/5	20/-	
27/5	12/-	
15/6	under 5s accepted	
28/7	12/- and 4/-	

Auchtertool	52	5
11/5	12/- and 4/-	
27/7	children 2/-	
3/8	6/- and 2/-	
20/11	stopped	

Ballingry	931	37
19/5	20/-	
26/5	12/- in kind	
16/6	agreed children under 5	
26/7	agreed children under 5 4/-	

Beath	1603	26
10/5	agreed relief in kind	
18/5	15/-	
26/5	12/-	
14/6	agreed children under 5	
21/7	agreed children under 5 2/6	



Carnock	3	0
18/5	no action	
6/8	only on medical certificate	
Culross	320	39
11/5	20/- in kind max 40/-	
17/5	£20 to Soup Kitchen for Single Miners	
19/5	15/-	
25/5	10/-	
1/6	12/-	
3/8	under 5s 3/6	
Dalgety	224	17
13/5	10/- in kind	
15/7	7/-	
29/7	under 5s 2/6	
12/8	agreed to repayable loans	
Dunfermline	339	4
13/5	refused as illegal	
25/5	12/- and 4/- in kind max 35/-	
Kennoway	5	1
no general relief but gave 3/- to children for soup kitchen		
Kinghorn	1	0
14/5	12/-	
Kinglassie	56	8
17/5	15/- in kind	
25/5	12/-	
15/6	6/-	
31/8	8/- and 3/-	
Largo	1	0
7/5	agreed in kind	
Leslie	13	0
18/5	varying amounts	
7/6	on medical certificate	
Markinch	98	6
26/5	left to Inspector	
28/7	agreed to children under 5s 4/-	
Saline	64	2
Sconnie	118	22
19/5	in kind	
19/5	15/-	
25/5	12/- and 2/6 for under 5s	
Torryglen	39	11
pre 15/7	12/-	
15/7	10/-	
5/8	agreed under 5s 3/6	
12/8	stop relief, only medical certificate	

Tulliallan	9	0
11/5	12/- and 4/- max 20/-	
3/7	stopped, left to Inspector	
Wemyss	1584	25
11/5	in kind	
18/5	15/-	
11/6	12/-	
21/6	agreed under 5s 2/-	

Note: In Fife relief payments complicated by the Education Authority's feeding scheme. Parish did not begin to assume responsibility for children until July,

### Lanarkshire

Avondale	22	2
17/5	12/- and 4/-	
1/6	10/- and 1/-	
14/9	stopped and left to Inspector	
Blantyre	1276	30
12/5	12/- and 4/- in kind	
20/5	12/- and 2/-	
29/11	agreed another payment in advance of wages, Board concurring.	
Bothwell	3817	32
13/5	12/- and 3/- max 30/-	
14/10	10/- and 2/-	
Cadder	157	4
21/5	12/- and 3/- max 30/- in kind	
4/8	10/- and 2/-	
6/9	stopped, left to Inspector	
Cambuslang	886	18
6/5	see Board over powers	
11/5	12/- and 4/- without max	
3/6	after bank stopped cheques, 11/- and 3/- 35/- max	
30/11	Board allows advances in lieu of wages	
Cambusnethan	1218	14
6/5	18/- and 3/- max 35/-	
20/5	12/- and 4/-	
24/6	10/- and 2/6 max 27/6	
15/7	7/- and 1/6 max 20/-	
14/8	stopped relief	
2/9	£100 to soup kitchen per week, stopped 30/11	
Carluke	267	10
13/5	12/- and 4/- max 32/-	
29/7	8/- and 2/-	
7/10	stopped and left to Inspector	

Carmichael	55	18
12/5	12/- and 4/- in kind	
15/6	10/- and 3/-	
Carnwath	na	na
initially gave relief but stopped, date na.		
Dalserf	1071	26
?	10/- and 2/6 max 30/-	
Dalziel	737	7
pre 4/10 na		
4/10	6/- and 2/6 max 30/-	
Douglas	120	16
13/5	12/- and 4/-	
Lanark	na	na
18/5	12/- and 4/-	
20/7	11/- and 3/-	
17/8	stopped and left to Inspector	
East Kilbride	7	0
Glasgow	768	1
Communal feeding		
Glassford	27	1
18/5	12/- and 4/- max 30/-	
25/5	10/- and 2/- max 20/-	
1/6	8/- and 2/- max 16/- and in kind	
5/8	stopped and left to Inspector	
Govan	104	0
Inspector left to organise relief		
Hamilton	1814	18
Lesmahagow	385	14
14/5	12/- and 4/- in kind	
15/7	10/- and 3/-	
21/9	8/- and 2/-	
5/10	stopped and left to Inspector and Medical Officer. Later also to councillor if no food in house.	
New Monkland	345	4
?	12/- and 4/- max 36/-	
14/10	10/- and 3/-	
Old Monkland	865	7
Rutherglen	129	2
14/5	12/- and 4/- max 30/-	
Shotts	1293	29
13/5	12/- and 4/- max 35/-	
13/7	11/- and 3/-	



Stonehouse	104	8
<u>Midlothian</u>		
Borthwick	155	17
12/5	no scale	
28/5	10/- and 2/- max 20/-	
23/8	7/6 and 2/6 max 15/-	
11/10	stopped, left to Inspector	
Cranston	18	1
20/5	on merits, but seems 10/- and 3/-	
14/8	stopped and left to Inspector	
Carrington	2	na
26/5	no scale	
Cockpen	282	22
Dalkieth	216	12
pre 16/9	10/- and 2/6	
16/9	7/6 and 2/6	
Edinburgh	403	1
17/5	10/- and 3/6 in kind	
Glencourse	8	1
26/5	12/- and 4/-	
17/9	stopped and left to Inspector	
Inveresk	768	16
Lasswade	201	6
20/5	10/- and 2/- (if not fed at school)	
27/5	10/- and 3/-	
5/10	7/6 and 2/6	
19/10	stopped	
Newbattle	424	31
17/5	10/- and 4/- (if not fed at school)	
3/6	12/-	
8/7	max 30/-	
Penicuik	31	3
21/5	12/1 and 4/-	
4/6	10/- and 4/-	
1/10	7/6 and 2/6	
19/11	stopped	
Newton	31	8
28/5	5/- and 2/6 (if not fed at school)	
6/11	stopped	
Temple	2	0

West Calder	237	12
11/5	12/- and 4/- (if not fed at school)	
14/5	max 35/-	
15/6	9/- and 2/6	
31/8	7/- and 2/6	
<u>East Lothian</u>		
Gladsmuir	na	na
Ormiston	68	16
Pencaitland	30	10
Prestonpans	300	68
Tranent	396	21
<u>Dumfriesshire</u>		
Durisdeer	na	na
Kirkconnel	379	43
Sanquar	35	5
<u>Dumbartonshire</u>		
Cumbernauld	175	17
14/5	10/- and 2/- max 24/-	
6/8	stopped	
10/8	9/- and 2/- max 22/-	
19/8	in kind	
Kirkintilloch	451	14
18/5	10/- and 2/6 max 22/6 in kind	
New Kilpatrick	4	0
<u>West Lothian</u>		
Bathgate	508	12
Bo'ness	375	12
13/5	11/- and 4/- in kind	
24/6	9/- and 3/-	
30/8	5/- and 3/-	
Linlithgow	3	0
Livingston	47	5
Torphicen	198	21
12/5	12/- and 4/- max 43/-	
28/7	10/- and 3/-	
Uphall	843	31
<u>Ayrshire</u>		
Auchinleck	264	14
13/5	10/- and 2/6 (less any school feeding) in kind	
17/6	8/- and 2/-	
8/7	25/- max	
16/9	stopped, only on medical certificate	

Coylton 24/5	8/- and 2/-	58	10
Dailly 7/6 28/6 29/7 16/8	9/- and 2/- no schoolchildren 6/- and 2/- stopped	na	na
Dalmellington 19/5 7/6	in kind 10/- and 2/- to under 5s	259	19
Dalry 17/5 3/8	agreed, max 24/- in kind stopped, only on medical certificate	na	na
Dalrymple ? 1/9	12/- and 4/- 9/- and 3/-	34	8
Dreghorn 18/5 12/6 31/8	10/- and 2/- 10/- and 1/6 8/- and 1/-	118	12
Dundonald 20/5	12/- and 4/- part cash, max no more than equivalent unemployment benefit	30	1
Galston 25/5 6/7	agreed 10/- and 3/- (if not fed at school) 30/- max	82	6
Girvan 27/5 3/6 15/7 5/8 30/9 6/10	agreed 10/- and 3/- (less any feeding at school) 6/- and 2/- stopped, left the medical certificate certificates not accepted certificates accepted	80	5
Irvine 30/5 28/6 4/10	12/- and 2/- max 25/-, 75% in kind less school feeding stopped	137	8
Kilmarnock		na	na
Kilmaurs 19/5 26/5 2/6	12/- and 4/- 10/- and 3/- 2/- if school feeding	41	4



Kilwinning	136	7
27/5	10/- and 3/-	
21/6	50% in cash	
5/7	less school feeding	
Loudon	27	2
11/5	12/6 and 3/6	
8/6	12/- and 4/- (less any school feeding)	
2/7	10/- and 3/- in kind	
Mauchline	18	3
3/6	12/- and 2/6 max 32/-	
18/9	stopped	
Monkton and Prestwick	na	na
Muirkirk	120	12
New Cumnock	325	27
Old Cumnock (Cumnock)	244	18
20/5	12/- and 2/6 (under 5) in kind	
26/5	4/6 per person in kind	
8/6	2/3 extra to wives	
10/6	children under 5 3/- if Health Clinic	
	aiding	
5/8	relief on loan, repayable after two years	
	(illegal)	
19/11	stopped	
Ochiltree	74	14
21/5	8/- and 2/6 to under 5s	
8/6	stopped	
12/6	6/- and 3/6	
9/8	stopped	
Riccarton	73	4
11/5	agreed, no scale indicated	
Stair	11	3
Stevenston	19	1
Stewarton	80	8
26/5	10/- and 3/-	
Straiton	7	1
Tarbolton	146	8
7/6	10/- and 3/-	
8/8	8/- and 2/6	
4/10	6/- and 2/-	
Ayr	na	na
4/6	10/- and 3/6 (less schoolfeeding)	
27/7	stopped	

Sorn	100	11
21/5	5/1 and 2/- if under 5	
25/5	relief by communal feeding	
11/9	stopped	
30/9	Inspector 5/- and 2/-	

Sources: SRO HH 40/136, Parish Council Minutes and local newspapers.

Notes: The numbers assisted varied throughout the period and the figure indicated is the highest the sources mention.  
Prestonpans had the highest % on relief and together with the other poor 75% of the Parish was on relief during the strike.

Overall, the scales dropped from about 10/- and 3/- to 8/- and 2/- during the period. Fife and Lanark were the most generous area, with Ayr and Lanark the meanest.

No of parishes giving no relief or stopping before July 1926	3
in July	4
in August	9
in September	7
in October	5
in early November	1
Two other parishes are unclear, but probably in August	<u>2</u>
Total	31

APPENDIX 6HThe Unemployed and Scales of Relief; Greenock 1930-34May 1930

man	10/-
wife	10/-
1st or 2nd child	3/6
3rd +	2/-
adult in household	6/6
single man in lodgings	15/-
single women in lodgings	12/-
man in model	10/-
Maximum	37/6
all household income to be deducted.	

Instructions:

- I - No relief, other than temporary relief, or relief in the poor-house shall be granted by the sub-committee without the approval of the Public Assistance Committee, unless the applicant has resided within the Burgh for more than one year immediately prior to the date of application, and had been employed (otherwise than on relief work) for at least six months within that period.
- II - Outdoor relief shall not be granted to the following classes of Able-bodied Destitute Persons, namely:-
- a) Residents in house over 16 years of age
  - b) Single men in private lodgings
  - c) Single women in private lodgings
  - d) Men in models and farmed out houses
- Unless the applicant proves to the satisfaction of the sub-committee:-
- 1) that he has not been in receipt of relief for a longer period than two years during the three years immediately prior to his application.
  - 2) that he has been employed, otherwise than on relief work, for at least six months in the last three years; and
  - 3) that he has been genuinely seeking work, but has been unable to obtain employment.
- III - relief shall not be granted without sanction of the Public Assistance Committee to any person
- 1) who has voluntarily left his or her employment, or has been dismissed for misconduct;
  - 2) who has been convicted of any offence or indictment, or has been convicted of any offence on a summary complaint on more than one occasion; or
  - 3) who is shown to the satisfaction of the sub-committee to have refused work.
- IV - No person who enters into marriage while in receipt of relief, or who applies for relief within six months of being married without having a reasonable period of employment immediately prior to such marriage, shall be granted outdoor relief.
- V - No outdoor relief shall be granted to a pregnant unmarried woman.
- VI - No outdoor relief shall be paid to an unmarried man who admits that he is, or has been declared by the Court to be, the father of an illegitimate child.



- VII - No unmarried person, whose parents are resident within the Burgh, shall receive a larger sum of relief than he would have been entitled to had he been resident with his parents.
- VIII- Relief payable to a person shall not be increased by reason of any of his children leaving the house, on obtaining employment and entering private lodgings within the Burgh.
- IX - The Inspector in his sole discretion may relieve temporarily any recipient of relief in kind, or partly in cash and partly in kind, should he have any reason to believe that relief granted is being applied by the applicant otherwise than for the necessities of life.
- X - No Able-bodied inmate of the Poorhouse who is discharged therefrom, for misconduct or non-conformance to the rules of the Poorhouse while an inmate thereof, shall be granted any relief for a period of at least one month from the date of such a discharge.
- XI - Unless in exceptional circumstances no outdoor relief shall be granted to a married person living apart.
- XII - No outdoor relief shall be granted to a married woman who has during chargeability given birth to an illegitimate child, or to a married man who has admitted that he is, or been declared by Decree Court, to be the father of an illegitimate child.
- XII - In no case shall outdoor relief be granted without the sanction of the Public Assistance Committee, to any person
- a) who has been convicted of fraud upon the Parish Council, or
- b) who has wilfully withheld, or falsely represented, material facts in his application, in order to obtain a larger grant of relief than he would otherwise have been entitled to.
- XIV - No appeal by any applicant shall be competent unless the applicant can prove to the satisfaction of the Conveners of the Public Assistance Committee and the Sub-Committees, the Provost, and the Inspector, that the decision of the Sub-Committee is not in accordance with the foregoing instructions.

	<u>November 1931</u>	<u>December 1933</u>
man	15/3	15/3
wife	8/-	8/-
child	2/-	3/6
sons 16-17	5/6	5/6
daughters 16-17	4/6	4/6
sons 17-18	8/-	8/-
daughters 17-18	7/-	7/-
man 18-21 in lodgings	8/-	12/6
woman 18-21 in lodgings	7/-	10/9
man over 21 in model	10/- to 12/6	15/3
woman over 21 in model	7/-	13/6
man 18-21 with relatives	8/-	12/-
woman 18-21 with relatives	7/-	10/9
man over 21 with relatives	8/-	14/-
woman over 21 with relatives	7/-	12/6
maximum	37/6	none
where two adults	23/6	to rota committee
Family earnings		First 20/- dis-
adult male; deduct all in excess of	12/6	regarded and
		then 50% of
		remainder

	<u>November 1931</u>	<u>December 1933</u>
adult female; deduct all in excess of	10/-	
National Health Insurance,	7/6	7/6
Old Age, Widows and Orphans Pensions; disregard	all	all
Blind Pensions disregard all	all	all
Lodgers and sub-letting; deduct all in excess of	5/-	5/-
or if idle	3/6	3/6
Savings, etc disregard the first £100		per 1931
casual earnings, deduct $\frac{1}{6}$ th of benefit.		deduct first 5/-
Disablement pensions; deduct all* (from end of 1932 as per new Act)		as per 1932 Act

\* = Council prevented by Department from totally disregarding.

Source: Greenock Town Council Minutes 1930-4

APPENDIX 7AVoluntary Hospitals; Income, 1923-37

	Scotland		England
	1923	1937	1937
Investment income	21	20	12
Public Bodies	7	4	7
Fees from Patients	5	25	45
National Health Insurance	1	-	-
Legacies, etc	47	24	11
Subscriptions	<u>18</u>	<u>23</u>	<u>24</u>
	100%	100%	100%

total income                      £1132000    £2000000

Sources: As 2A and 2B; The British Medical Journal

Summary

In the 1920's Scotland's Voluntary Hospitals were heavily reliant on legacies and investment income for their maintenance. As indicated in 2A, fees from patients and indeed subscriptions formed only a small part of their income. Thus these hospitals were truly indicative of middle class philanthropy. However, as expectations rose and medical technology improved, the pressure of increased costs meant the hospitals had to seek new sources of income. By 1937 fees had risen dramatically, some tenfold in real terms. Although investment income continued to flow at a level commensurate with increased costs, legacies had barely risen above their 1923 level. Middle class philanthropy could no longer match health care expectation and the ordinary working class patients was now having to contribute far more to their own treatment. Thus despite the increased wealth of Scotland, the inter-war period saw negative redistribution in the cost of health care, the "gracious giving" of the past was being transformed into a system of self help, means tests (through hospital almoners) and queues. However Scottish voluntary health care had not reached the level of England's, which by 1937 had ceased to have any real connection with philanthropy, almost totally reliant on fees and weekly subscriptions.



APPENDIX 7BSelected Scottish Health Indicators, 1871-1946

	<u>Infant Mortality Rate</u> (deaths per 1000 births)		<u>Neo-Mortality Rate</u> (deaths under one month)	
	<u>Scotland</u>	<u>England</u>	<u>Scotland</u>	<u>England</u>
1871-5	127	153		
1891-5	126	151		
1911-5	113	110	43	39
1921-5	92	76	38	33
1931-5	81	62	37	31
1941-5	68	49	34	24

Maternal Mortality Rate: Scotland

	<u>All Causes</u>	<u>Puerperal Sepsis</u>
1975-84	5.2	2.0
1895-04	4.6	1.9
1915-24	6.2	1.7
1925-34	6.4	2.3
1935-44	4.7	1.6
1946	2.9	.6

Source: Annual Reports of the Department of Health

APPENDIX 8AA Sheriff's Order Granting Interim ReliefForm 103

(COPY)

Poor Law

\_\_\_\_\_  
 (Copy)  
 Deliverance  
 Granting  
 Interim  
 Relief.

[date]

— The Sheriff-  
 having heard

Substitute of

the oral Statement of

complaining against the Inspector of Poor of

for refusing application for relief, and seen the

Certificate of such refusal, orders the said Inspector,

within eight days from this date, to lodge with the

Clerk of Court a Statement, in writing, showing the

reasons for said refusal, with certification: and

meantime orders the said Inspector to afford relief to

the applicant until such Statement shall be lodged; and

appoints a copy hereof to be delivered by the applicant

to said Inspector.

(signed)

Sheriff-Substitute of

A True Copy, Certified by me,

Sherrif-Clerk Depute of

SHERIFF-CLERK'S OFFICE,

[Place and date]

Source: Govan Parish Council Special Prints.

G. Sellar, Forms for Sheriffs and Sheriff-Clerks. Vol 1  
 (Glasgow, 1881) p 282.

APPENDIX 8AA Form of Application for Claimants Complaining of Inadequate Relief

To the  
LOCAL GOVERNMENT BOARD FOR SCOTLAND - EDINBURGH.

I \_\_\_\_\_, one of the Poor on the Roll of the Parish of \_\_\_\_\_, complain that the Relief afforded to me is inadequate; and I pray the Local Government Board to investigate the nature and grounds of my complaint, and, in the event of my complaint being ascertained to be well founded, and not removed by the Parish Council of the said Parish, then to declare by a Minute that I have a just cause of action against the said Parish.

Signature or Mark of Applicant \_\_\_\_\_

If the Applicant cannot write, the Attestation Signature by a mark must be attested by a Witness in the following form;- \_\_\_\_\_

'The above is the mark of -----.'

Signature of Witness \_\_\_\_\_

Date \_\_\_\_\_ of \_\_\_\_\_

N.B.- The Applicant must fill up the Answers to the Queries on the next page. The Inspector is bound, if required, to write down the Answers for him. The Schedule, when filled up, must be left with the Inspector, who is directed, within twenty-fours, to fill up the column for his remarks, and either return the Schedule to the Applicant, or transmit it to the Local Government Board as the Applicant may desire.

\*\*\* If the relief offered or complained of is an offer of admission to the Poorhouse, the Inspector must state, either on the Schedule or along with it, THE GROUNDS UPON WHICH SUCH OFFER HAS BEEN MADE; and if in such a case the applicant alleges sickness, infirmity, or old age, the Inspector must transmit, along with the Schedule, A CERTIFICATE IN THE PRESCRIBED FORM BY THE MEDICAL OFFICER as to whether the Pauper (and dependents, if any) can be removed to the Poorhouse without injury or not.

When the Inspector does not admit the applicant's statement as to the extent and cause of his disability, or of the disability of his wife, the Inspector must transmit A CERTIFICATE BY THE MEDICAL OFFICER as to the disability alleged; and if the applicant has a wife living in family with him, the Inspector must state upon the Schedule her age, and the extent of her ability to contribute to the maintenance of the family.



QUESTIONS	ANSWERS OF APPLICANT	INSPECTOR'S REMARKS (Parish of Chargeability)	INSPECTOR'S REMARKS (Parish of Residence)
1. Present residence?			
2. Age?			
3. Whether single or married?			
4. Number of children or dependants (if any) living in family?			
5. Name and ages of such children and dependants?			
6. Employment and earnings of such children or dependants?			
7. If parents alive, and in what circumstances?			
8. Names, employment, and earnings of children not living in family?			
9. Present occupation of Applicant?			
10. Occupation previous to first receiving relief?			
11. How long has Parochial Relief been received?			
12. Amount of present Parochial Relief in money, clothing, or of any other kind?			
13. Whether wholly or partially disabled, and from what cause?			
14. Does Applicant pay any, and what, rent for house or room now occupied?			
15. Has Applicant any other means or resources besides Parochial Relief and to what amount?			
16. What is the amount of Relief now claimed by the Applicant?			
17. State any other circumstances which may seem material.			

Signature of Applicant \_\_\_\_\_

Signature of Witness attesting mark \_\_\_\_\_

Signature of Inspector \_\_\_\_\_

Parish \_\_\_\_\_ Date \_\_\_\_\_

Source: The Annual Report of the Local Government Board, 1895-6

C 8219 (PP 1897 Vol XXX VII) Appendix A No. 7.

APPENDIX 8B

An Application Form for Relief

PARISH OF  
APPLICATION FOR RELIEF

Name .....  
Residence ..... Age .....  
No ..... Date of Application .....  
Date of Minute of Parish Council or Committee  
admitting liability and authorising relief .....  
Amount and description of Relief authorised .....  
County and Place of Birth and if .....  
in Scotland, Parish of Birth  
Name of Parents .....  
.....  
.....  
Religious Denomination .....  
Condition - If Adult, whether Married or Single, Widow or Widower  
.....  
" - If Child, whether Orphan, Deserted, or Separated from  
Parent .....  
If Married, when, where, and by whom .. .....  
If Orphaned or Deserted Child, Parent's Names .....  
Occupation ..... and Place of Birth.....  
.....  
Trade or Occupation of Applicant .....  
Wholly or partially Disabled ..... Description of  
Disablement .....  
Wholly or partially destitute .....  
Earnings, Means, and Resources  
besides Parochial Relief .....  
Name, Age and Birth Place of Wife, Child or Children, living in  
family, and their Earnings .....  
.....  
.....  
Name, Age, and Weekly Earnings of Husband, Child, or Children, living  
in Family, and their Earnings .....  
.....  
No. of Previous Application, if any ..... Nature of Settlement .....  
Other Information not stated above .....  
Second Page contains details of Inspector's Report and details of visit  
to Applicant's Home  
Source; Govan Parish Council Special Prints

Appendix 8B,A Medical Officer's Certificate

Parish of \_\_\_\_\_

Date \_\_\_\_\_

Dr \_\_\_\_\_ Address \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Name of Dependents \_\_\_\_\_

Residence \_\_\_\_\_

Age \_\_\_\_\_ Occupation \_\_\_\_\_ Settlement \_\_\_\_\_

I have this day examined the above-named Applicant, and hereby certify on sould and conscience, the particulars under-written to be true, to the best of my knowledge and belief.

(Signed) \_\_\_\_\_ Medical Officer.

(Dated) \_\_\_\_\_

Is the applicant in good health? \_\_\_\_\_

Is the applicant able to do any work? \_\_\_\_\_

Nature of applicant's sickness or infirmity? \_\_\_\_\_

Note- Where the circumstances are such as to give rise to the suspicion of the possible development of some form of infectious disease, special attention should be directed to the case.

If applicant has dependents, state whether they, or any of them suffer from sickness or infirmity? \_\_\_\_\_

Nature of sickness or infirmity of dependents? \_\_\_\_\_

Does the condition of applicant or dependents require immediate attention and medical advice? \_\_\_\_\_

Is applicant or any dependent lunatic, insane, idiot or of unsound mind?\* \_\_\_\_\_

Are applicant and dependents able to be removed to the Poorhouse of without injury to their health? \_\_\_\_\_

If so, state the manner in which they are capable of removal without risk or injury to their health, and whether by walking, car, cab, or ambulance?\*\* \_\_\_\_\_

Should applicant, in your opinion, be removed to Poorhouse for treatment? \_\_\_\_\_

Contd. .../



\* No person so described can be legally sent or received in a Poorhouse, unless it possesses Licensed Lunatic wards, and then only with the sanction of the General Board of Lunacy.

\*\* The Medical Officer will note specially any precautions which he deems necessary in conducting the removal; in particular, whether the patient can walk to the vehicle prepared for him or whether he should be carried, and if so, whether stretcher is necessary; whether a nurse should accompany the patient; whether any preparation of the patient by the administration of food, stimulant, &c., is required; and any other matters to which attention should be directed.

Source: Govan Parish Council Special Prints.

Appendix 8CGlasgow Parish Council: Scale of Aliment, 1910**I - Persons with Dependents**

- a) 5/- per week for recipient, and in addition  
 4/6 per week each son or daughter working  
 4/- per week one child under 14  
 3/6 per week second child under 14  
 3/- per week third child under 14  
 2/- per week each additional child under 14.  
 In addition, each child attending school to be given one suit or one dress, one pair of boots and stockings annually, with an outfit on obtaining work, if necessary.
- b) When recipient is the husband, his wife, if working, to be calculated as an adult worker, if not working as a dependent.
- c) A son or daughter able to work, but idle, no allowance to be made.
- d) When calculating earnings of recipient only three-quarters to be reckoned as income and deducted.
- e) Where recipient is in receipt of sick aliment from a Friendly Society 5/- per week to be deducted off same and remainder, if any, reckoned as income.
- f) Weekly earnings of sons and daughters of
- |                    |                                 |                   |
|--------------------|---------------------------------|-------------------|
| 4/6 and under      | to be reckoned as income        |                   |
| 5/- and 5/6        | to be reckoned as income of 4/6 |                   |
| 6/- and under 13/- | "                               | 1/- less          |
| 13/-               | "                               | 11/6              |
| 14/-               | "                               | 12/-              |
| 15/-               | "                               | 13/- and deducted |
| 16/- or 17/-       | "                               | 13/6              |
| 18/- to 20/-       | "                               | 15/-              |
| 21/- to 25/-       | "                               | 16/-              |
| 26/- to 30/-       | "                               | 17/-              |
| Above 30/-         | "                               | 18/-              |

**II - Destitute Old or Infirm Persons**

- 1) Living in their own houses, 5/- per week each; and all combined income above 2/6 per week to be deducted, but if recipients' income is partly from Friendly Society, only that portion of income above 4/- to be deducted.
- 2) In the case of a widow or widower with one of a family, and that member working, aliment to be granted as follows:-  
 If combined income is
- |               |                               |
|---------------|-------------------------------|
| 5/- per week, | allow aliment of 5/- per week |
| 6/-           | " 4/- "                       |
| 7/-           | " 3/6 "                       |
| 8/- or 9/-    | " 3/- "                       |
| 10/- or 11/-  | " 2/6 "                       |
| 12/-          | " 2/- "                       |
| 13/-          | " 1/6 "                       |
| 14/-          | " 1/- "                       |
| 15/- or more, | allow no aliment.             |

Contd...../

In no case must applicant's person income including aliment, be more than 7/6 per week.

- 3) In the case of a married couple with one or two of a family working, the earnings of the family to be treated as in Section I(f), and income going into house to be supplemented to 16/- for a household of three, and 20/- for a household of four.
- 4) Living with friends, 4/- per week each; all income of recipients to be deducted unless where the income is from a Friendly or Charitable Society, in which case allow 1/6 per week.
- 5) Living with son, daughter or grandchildren, maximum 4/- per week each; but less as household income warranted; all income of recipients to be deducted except allowance under clause 4.
- 6) Cases in Institutions, Homes, etc.: uniform rate of 3/- per week to be allowed.

### III - Wives with Dependents, whose Husbands are in asylum, Hospital, &c.

To be treated as temporary cases and in according to circumstances, but in no case must aliment be more than 15/- per week. If husband in Asylum for more than three months continuously wife and dependents to be treated as in Section I.

### IV - Wives, with Dependents whose Husbands have Deserted them or are in Prison.

To be offered indoor relief, but in very exceptional cases they would be treated as those under Section III.

Source; Glasgow PCM 11/11/10.



Appendix 8DBeath Parish Council, 1920-21Scale of Aliment adopted by the Labour Council

Single person living alone	20/-	with relatives	16/6
Two adults living alone	35/-	with relatives	31/6
Children (each)	10/-		
Housekeeper (for widower)	15/-		
Boarded-out children	12/6	with lunatics	15/- child lunatics 12/6

- 1) Income from compensation, family assistance, NHI, lodgers, free rent, coals etc., to be deducted.
- 2) Scale applies only where has everything to provide from allowance.
- 3) Where free coal, 1/6 less, rent 2/- less, lodgers, 2/6 less each.
- 4) Where earners - half deducted.
- 5) Family earnings - all above £3 in sons earnings.
- 6) All poor shall have received necessary clothing and boots on the autumn.
- 7) All poor shall have received free medical attention, etc.
- 8) All poor shall have received exemption from rates.
- 9) Cases requiring special attention and consideration are to be dealt with on their merits.
- 10) That all widows with young families devote their attention to the welfare of their children and they do not accept employment which requires their absence from home duties, without first applying for and receiving sanction from the Parish Council.
- 11) That in order to improve and raise the condition of recipients of relief the Council, when having conditions improved pay rents of the houses occupied by the poor and that they insist upon them securing a better and larger class of house than at present.

Income Deductions from 25/1/21

up to 34/- of family earnings,	nil
35/- to 37/-	2/- deducted
to 40/-	3/-
etc to	
49/-	6/-
52/-	8/-
55/-	10/-

etc. for every 3/- increase in earnings deduct 2/-.

Single sons living out deduct 12/6. Married sons deduct according to responsibilities and income.

Source: PCM, 27/4/20 and 25/1/21

Letter from the Board of Health on Scale of Aliment, dated 13/5/21

Adverting to previous correspondence in regard to the scale of aliment adopted by your Parish Council, I am directed to state that having received a petition signed by a considerable number of ratepayers in Beath urging that special inquiry should be made into the administration of the Poor Law in the Parish, the Board instructed two of its officers to make an investigation. These officers visited the Parish on the 5th and 6th April and the Board have now had under consideration their report.

As a result of that consideration the Board are satisfied that,



apart from the question of amount of aliment granted the Parish Council in their administration of Poor Relief, act conscientiously and with discretion. They are however under the opinion that the aliments allowed under the scale are distinctly higher than the amounts required to provide "needful sustentation". The general impression formed by the Board is that the standard of living amongst the recipients of poor relief in the Parish is considerably higher than the standard amongst recipients generally, and that, further, it is appreciably higher than in the homes of many ratepayers.

I am therefore directed by the Board to communicate, for the careful consideration of your Parish Council, the following suggestions for the modification of the scale:-

- a) The reduction of the Parish Council's basic figure viz:-  
20/- weekly for the maintenance of one person

I am to point out that the general experience of parish councils throughout Scotland is that a much smaller sum than 20/- is in normal cases sufficient to meet the needs of one person, and the Board are not satisfied that the cost of food and other necessities of life is higher in Beath than in other industrial areas where the average amount of relief given to one person is less than the scale amount fixed by your Parish Council.

- b) A descending scale of relief in the case of dependents and children should be adopted.

The system under the scale adopted by your Parish Council of granting a fixed allowance of 10/- per week for each dependent child is obviously unjustifiable. It should be borne in mind that a family of five children may be adequately fed for a lower sum per head than is the case with say, a family of two.

- c) The amounts expected from working members of the family or from other relation liable should be increased.

In this connection I am to remind you that, apart from the legal obligation on working members of a family to support their parents, there is a moral obligation on such members to contribute towards the support of their younger brothers and sisters and the Parish Council ought to keep this strictly in view. Looking therefore to these obligations a son or daughter is not to be regarded merely as a lodger and his or her contribution to the household expenditure must not be limited to the amount that would be paid for his or her board and lodging.

- d) The estimate of profit received from ordinary lodgers should be increased.

It should be apparent to the Parish Council that the gain accruing to a household by keeping a lodger must, as a general rule, be estimated at an amount more than 2/6d per week.

- e) In the case of recipients of poor relief earning wages a greater sum than half of the wages should be taken into account in fixing the aliment.

While the Board realise that, were the Parish Council to take into account in calculating the aliment necessary for any case the whole earnings of the recipient, the result might be to discourage persons in receipt of relief from continuing to work, they feel that a higher proportion of earnings than half should properly be taken into account, except in any cases where the earnings amount to only a few shillings per week.

I shall be glad if you will submit this letter to an early meeting of the Parish Council in order that the whole question of the allowance to the poor may be reviewed in the light of the foregoing suggestions.

signed. J.T. Maxwell, Secretary.

Source: PCM, 24/5/21



Appendix 8EGlasgow Parish Council: Scale of Aliment, 1922**Part I. Persons with Dependents**

- a) 15/6 for recipient
  - 8/- for wife if dependent and not working
  - 6/- first dependent child
  - 5/- other dependent children
  - 2/- for pregnant mothers or children under two.

In addition, one suit, two pairs of boots and stockings, shirt and combinations for boys at school; one dress, two pairs of boots and stockings, chemise, petticoat and knickers for girl at school, also coat every two years to each.

- b) Where wife and family in house and working, one third of all earnings to be reckoned as income of recipient and aliment reduced accordingly, provided not less than 18/- per week is left to the worker if earned. In the case of a wife working, if earnings not equal to 8/-, they will be supplemented by aliment to that amount.
- c) When calculating earnings of recipient, only two thirds to be reckoned as income and deducted.
- d) One half of all amounts received for board and lodgings to be treated as income and deducted from aliment. One half for lodgings only.

**Part II. Destitute Old and Infirm Poor**

- a) Living alone in own house without family, 15/6  
 A couple living alone in own house without family, 23/6  
 If there is a family - Single Person, 12/6  
 If there is a family - Couple, 20/6  
 and all combined income above 3/- per week to be deducted.
- b) Widow or widower with one of family, working and unmarried, 15/6, but earnings deducted as on Part I(b).
- c) Married couple with one or more of family working, relief to be given as in Part I(a) and earnings Part I (b).
- d) With friends 9/- each, but all income over 2/6 to be deducted.
- e) With son or daughter or grandchildren, 9/- each; but less as household income warrants. All income of recipient to be deducted.
- f) Cases in Institutions, Homes etc., uniform rate 8/- per week each.
- g) Where recipient is a compulsory insured person and in receipt of Benefit, as ordained by Statute only amount over 7/6 of Benefit to be deducted as income. If a Voluntary member of a Friendly Society, 10/- free of deduction, but in all cases 10/- will be maximum amount of deduction. Members of family in receipt of any Benefit, full amount to be reckoned. Where husband and wife is maintained in a charitable or rate supported Institution, full Benefit to be deducted.

**Part III. Wife and dependents and husband in Hospital or other Institution**

To be treated according to circumstances, but not so liberally as in Part I, as they are usually temporary cases. If however husband in for more than three months then as Par I(a).

Contd.../



Part IV. Wife and dependents and husband deserted or in prison

To be offered indoor relief, unless in very exceptional circumstances when treated as in Part III.

Notes: the average cost of cloing (Part I) means an extra allowance of 2/- a week to children who receive them. Adult poor- clothing only to be allowed to aged and infirm without relatives, limited in value to £2 sterling per annum.

Source: Bonhill PCM, 1923. Scale adopted June 1921 and amended for cost of living decrease, 8/12/22.

Appendix 8FGlasgow: Scale of Allowances 1930: Ordinary Poor

The basis of the scale is a subsistence allowance, plus a sum equal to the actual rent paid, subject to a maximum of 7/6d per week, provided that in special cases, where there are more than three children, there shall be a discretionary power to pay the amount of rent up to a maximum of 10/- per week.

## Subsistence allowance for -

Single person	12/6 per week
Wife	10/-
First child	4/6
Second child	4/-
Each additional child	3/-
Maximum subsistence allowance	40/-

Persons in receipt of Widows', Orphans', or Old Age Pensions, the subsistence allowance to be reduced by the amount of pension.

Persons living with relatives legally liable to maintain, no rent allowances to be made.

Pregnant mothers and children under two years of age allowed 2/- per week extra.

Blind Persons:- In the case of blind persons, discretion is granted to the Relief Committee to increase by a maximum of 3/- per week the rate of aliment paid under the ordinary scale.

Deductions:- One-third of all earnings of family in house to be reckoned as income and deducted, provided that not less than 15/- per week is left to the worker, if earned. Members of family working and under 16 years of age, wages to be made up to 7/6d per week. If idle, to be treated as ordinary dependents.

When calculating earnings of recipient, only two-thirds to be reckoned as income and deducted, provided that not less than 3/- per week is left to recipient. One-sixth of all amounts received for board and lodgings to be deducted as income. One-half for lodging only if attendance is given by recipient. Two-thirds if rooms are sub-let without attendance, with a minimum of 3/6 per week.

Sickness Insurance Benefit:- Where recipient is a compulsorily insured person, only such amount over 7/6 per week sickness benefit to be deducted as income. If a voluntary member of a Friendly Society or Trade Union Benefit Fund, 10/- per week benefit to be allowed free of deduction, provided that in no case shall the total income from all sources exceed 20/1 per week for a person living alone, and 30/- per week for a married couple. Members of family in receipt of any benefit, full amount to be reckoned; and where husband or wife is maintained in a charitable or rate-supported institution, full benefits to be deducted.

Source; Glasgow TCM 21/2/30,

Glasgow: Scale of Allowances 1934, Ordinary Poor (under Labour Administration).

Subsistence allowance for -

Single person or Husband	12/6 per week
Wife	10/-
First child	4/6
Each additional child	3/-
Members of family working and under 16, wage made up to 7/6 per week.	

Expectant Mothers, &c. In the case of expectant mothers and of children under two years of age scale allowances shall be increased by 2/- per week.

Blind Persons. In the case of blind persons discretion is granted to the Daily Relief Committee to increase the scale allowance by a maximum of 5/- per week.

Members of Family working. Where applicant is working, all amounts in excess of  $33\frac{1}{3}$  per cent. of earnings shall be deducted from scale. Where parents of applicant are the householders and the father is working, 50 per cent. of the excess of his earnings over 30/- per week shall be deducted from allowances to applicant. Where members of family residing in house are in employment, deductions from allowances to applicant shall be made as follows:-

- a) in respect of first member, 50 per cent. of the excess over 20/- per week; and
- b) in respect of the second and subsequent members of the family, 50 per cent. of earnings, provided that no less than 15/- per week is left to the worker.

Pensions. In the case of applicants in receipt of Widows' and Orphans' Pensions, the subsistence allowance shall be reduced by the amount of the pension. In the case of Old Age Pensions, the subsistence allowance shall be reduced by the amount of the pension in excess of 2/6 per week; and in the case of applicants who are Old Age Pensioners living in model lodging-houses, an allowance may be made not exceeding the sum of 5/- per week, with the proviso that the supplement to the Old Age Pension shall not increase the income of the applicant from all sources beyond 15/- per week.

Disability Pensions. The percentage of disability shall be regarded as the basis for calculating the percentage of ability of the applicant and a deduction made from the scale allowance, with the proviso that the supplement to the disability pension is not to increase the income of an applicant without wife or dependents beyond 30/- per week, and an applicant and wife beyond 40/- per week.

National Insurance Benefit. as per 1930.

Trade Union and Voluntary Society Benefits in excess of 5/- per week shall be deducted.

Voluntary Payments. Where applicants are in receipt of voluntary payments from sources where there is no legal liability to maintain, the subsistence allowance shall be reduced by the amount of such payments in excess of 5/- per week.



Members of family in receipt of benefit and husband or wife in an institution as per 1930.

Board, Lodgings, &c. as per 1930.

Maximum allowance. ~ In the case of persons living with relatives legally liable to maintain them, the maximum allowance shall be 12/6 per week; except where the person legally liable to maintain is in receipt of Public Assistance or Unemployment Benefit, in which case the maximum shall be 15/- per week.

Notes: The Scale Rates had been reduced from the 1930 Scale on 22/6/33 by about 12%. The extra allowance to expectant mothers, blind persons and family wage-earners under 16 had been withdrawn. The 1934 Poor Law Act imposed a statutory disregard of the first £1 of disability pension, 7/6d of National Insurance Benefit and 5/- of Trade Union or Friendly Society Benefit. Labour's earnings disregard for family members reduced the amount taken into consideration for those earning less than 60/- per week from one third to one quarter.

The maximum allowance of 40/- was abolished on 10/1/38.

Source: Glasgow TCM "Memorandum of and Scale of Assistance by Director of Public Assistance" on 27/6/32, 24/3/33, 8/6/32, 22/6/32, 19/3/34 and 12/4/34.

SOURCES AND SELECT BIBLIOGRAPHY

It is difficult in some cases to divide the printed books, articles and newspapers into primary and secondary sources. The practice here has been followed of regarding those historical works published before 1948 as primary sources. Those published after that date have been assumed to reflect or begin their critique from the philosophy and practice of the Welfare State. The Sources have been arranged in the following manner:

**PART I                    Manuscript Sources**

- A.    The Scottish Record Office**
- B.    The Public Record Office**
- C.    Regional Archives**
  - 1.    Parish Council Minute Books**
  - 2.    Public Assistance Committee Minute Books**
- D.    Local Libraries**

**PART II                   Official Reports, Pamphlets and Other Material**

- A.    National Government**
  - 1.    Command Papers**
    - a.    Annual**
    - b.    Occassional**
  - 2.    House of Commons Accounts and other Papers**
  - 3.    Non Parliamentary Papers**
  - 4.    Acts of Parliament**
  - 5.    Bills presented before Parliament**
  - 6.    Hansard**

**B. Local Government****1. Regional Archives****2. Glasgow Mitchell Library**

**PART III        Newspapers**

**PART IV        Contemporary Journals**

**PART V        Historical and Other Scottish Works published before  
1948**

**PART VI        Other Printed Works**

**PART VII       Unpublished Thesis**



## PART I MANUSCRIPT SOURCES

### A. The Scottish Record Office (Edinburgh)

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Development Department Papers: DD 5/693-721; 107/161, 189-178, 184, 191, 192, 232

Education Department Papers: ED 7/1, 7; 11/155-276

Home and Health Department Papers: HH 1/471, 486, 496-507; 2/15, 16; 9/24, 54; 31/36; 40/1-242; 45/62, 65; 50/166; 56/15; 60/65; 61/1, 2; 64/51, 151; 65/49-53, 63, 93, 94

Sheriff Court Papers: SC 36/7

### B. The Public Record Office (London)

Cabinet Minutes, 1921-36

Cabinet Papers on Unemployment and the Scottish Poor Law, 1921-36.

Cabinet Papers of the Committee on the Regulations of the Unemployment Assistance Board, 1934-6

### C. Regional Archives

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##### Clackmannanshire

Alloa  
Clackmannan  
Dollar  
Tillicoutry

##### Stirlingshire

Denny  
Dunipace  
Falkirk  
Larbert  
Logie  
St. Ninians  
Stirling

Fife Region (Cupar)

Aberdour  
 Auchterderran  
 Auchtertool  
 Ballingry  
 Beath  
 Carnock  
 Culross  
 Dalgety  
 Kennoway  
 Kinghorn  
 Kinglassie  
 Largo  
 Leslie  
 Marchinch  
 Scoonie  
 Torryglen  
 Tulliallan  
 Wemyss

Lothian Region (Edinburgh)Midlothian

Borthwick  
 Carrington  
 Cockpen  
 Cranston  
 Crichton  
 Dalkeith  
 Edinburgh  
 Fala and Soutra  
 Glencourse  
 Inveresk  
 Kirknewton  
 Lasswade  
 Leith  
 Mid Calder  
 Newbattle  
 Newton  
 Penicuik  
 Temple  
 West Calder  
 Dalkeith Combination Poorhouse  
 Inveresk Combination Poorhouse

West Lothian

Bo'ness and Carriden  
 Bathgate  
 Dalmeny  
 Kirkliston  
 Torphicen  
 Uphall

Strathclyde Region (Glasgow)Ayrshire

Ardrossan  
Auchinleck  
Beith  
Coylton  
Dailly  
Dalmellington  
Dalry  
Dalrymple  
Dreghorn  
Dundonald  
Galston  
Girvan  
Irvine  
Kilbirnie  
Kilwinning  
Kilmaurs  
Loudon  
Mauchline  
Ochiltree  
Old Cumnock  
Riccarton  
Stair  
Stevenston  
Stewarton  
Sorn  
Tarbolton

Dunbartonshire

Bonhill  
Cardross  
Cumbernauld  
Kirkintilloch  
Old Kilpatrick

Lanarkshire

Avondale  
Blantyre  
Bothwell  
Cadder  
Cambuslang  
Carluke  
Carmichael  
Dalziel  
Douglas  
Glasgow Barony  
Glasgow City  
Glasgow  
Glassford  
Govan  
Lanark  
Lesmahagow



Old Monkland  
 Rutherglen  
 Shotts  
 Omoa Combination Poorhouse

Renfrewshire

Cathcart  
 Eastwood  
 Kilbarchan  
 Lochwinnock  
 Mearns

Tayside Region (Dundee)

Dundee

Dumfries and Galloway Region (held by SRO CO.2)

Wigtonshire

Glasserton  
 Glenluce  
 Inch  
 Kirkcolm  
 Kirkcowan  
 Kirkinner  
 Mochram  
 Old Luce  
 Penninghame  
 Stranraer  
 Whithorn  
 Wigton

2. Public Assistance Committee Minute Book

Held by Local Public Libraries

Ayr  
 Clydebank  
 Dumbarton  
 Dundee  
 Edinburgh  
 Falkirk  
 Glasgow  
 Greenock  
 Paisley  
 Rutherglen  
 Stirling

Held by Regional Archives

Dunbartonshire  
 Fife  
 Midlothian  
 Renfrewshire

Stirlingshire

D. Local Libraries

Edinburgh Central Library

Edinburgh Parish Council Minutes  
Leith Parish Council Minutes

Glasgow Mitchell Library

Glasgow Parish Council Minutes  
Glasgow Trades and Labour Council  
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PART II OFFICIAL REPORTS: PAMPHLETS AND OTHER MATERIAL

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Govan Parish Council Annual Reports

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